



CRM-M-7338-2026 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-7338-2026 (O&M)
Date of decision : 29.04.2026
Date of uploading : 29.04.2026

Gurpreet Singh**.....Petitioner****Versus****State Of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

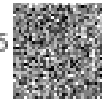
Mr. Baljinder Singh Sra, Addl. AG, Punjab.

Mr. Avichal Sharma, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.92 dated 30.07.2025 under Sections 109/190/191(3) of BNS and Sections 25/27/54/59 of Arms Act, registered at Police Station City Majitha, District Amritsar.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"Statement of Ajaypal Singh son of Sarwan Singh, resident of Daburji, police station Majitha, district Amritsar, age about 24 years, mobile number 88721-69546, stated that I am a resident of the above address. I do work of wallpapers at Sohiya Kala Stop. My father Sarwan Singh son of Amrik Singh, who does seva with Satpal Singh alias Goldie son of Harjinder Singh, resident of Daburji, of our village. Today at around 2:30/3:00 PM, my father was returning on rehri with green cow feed of Satpal Singh to his house on the road and I was coming to my house from my shop to have food. My father was walking ahead of me. When we reached near the house of Subhpreet Singh son of Natha Singh, a lot of



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people had gathered there, some of them were from our village and some from outside villages and were abusing each other. All of a sudden they started firing bullets. My father, who was going on the rehri, was hit by a bullet on his right arm, another bullet in his right side ribs and another bullet in his waist. When I and my father shouted "killed, killed", the said assailants ran away from the spot along with their weapons. I arranged for my injured father to be taken to the Government Hospital Majitha, since my father was very serious so the doctor referred my father to Guru Nanak Dev Hospital, Amritsar. These 2 Wal people included Kawal son of Bittu, Robi son of Ningi Masih, Ajay son of 5 4 Kali and Akash son of Bittu from our village, Subhpreet Singh son of Natha Singh and Karan son of unknown resident of Daburji and the 6 people who came from outside were Palwinder Singh alias Gopi son of Karam Singh resident of Hamja, Karan Masih son of Yunus Masih alias 9 winder Judge resident of Pindi police station Aliwal, Gurwinder Singh alias Savi son of Sukhwinder Singh resident of Rama Mandi Ekta Nagar Phase 1 House No. 183 currently residing at Guntala Colony Amritsar, Arjan son of unknown resident of Guru Ki Wadali Amritsar, Babbu son of unknown resident of Bal. Those whom I knew. Along with them there were many more 25/30 people whom I can recognize when I come across them. The reason for the fight was that Subhpreet Singh, son of Natha Singh, had installed a DJ in the street and Karan and Kawa! were stopping him from installing a DJ. Due to this, they called people from outside and spoiled the atmosphere of the village. Legal action should be taken against them and justice should be given to us. The statement has been written and read correctly. SD/- Ajaypal singh Ajaypal Singh The above verification is correct/-Major Singh ASI Police Station Majitha Date 30-07-25."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 02.08.20250. Learned counsel has further argued that the petitioner has been falsely implicated in the FIR in question primarily on suspicion. Learned counsel has further submitted that, assuming *arguendo* that the prosecution version is taken to be correct, the firearm shot(s) which hit the injured are not attributed to the petitioner, and the petitioner is, at most, stated to have been standing there/accompanying the assailant. Learned counsel has further iterated that the petitioner is a young man aged about 26 years and is the sole breadwinner of his family. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned

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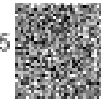
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State counsel seeks to place on record custody certificate dated 28.04.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 02.08.2025 wherein after investigation was carried out and challan qua the petitioner stands presented on 28.10.2025. Total 21 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 28.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 8 months and 26 days & is shown to be involved in another case. As per the said custody certificate, the petitioner is stated to be involved in another case. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this



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regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the

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State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

29.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No