



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.6904 of 2026
Date of Decision: 01.04.2026
Date of Uploading: 01.04.2026

Davinder Singh
.....Petitioner.
Versus
State of Punjab
.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. G.S. Verma, Advocate for
Mr. Rahul Bansal, Advocate for the petitioner.
Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J.(Oral)

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.307 dated 04.11.2025 registered for the offences punishable under Sections 109, 103, 191(3), 190 and 61(2) of the BNS, 2023 as well as Section 25 of the Arms Act, at Police Station Samrala, District Ludhiana.

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 Dharamvir Singh @ Dharma son Jarnail Singh resident of Manki PS Samrala District Ludhiana, aged about 25 years, Mobile No.73473-29186, "Stated that I am resident of the above address, am use to do the sale-purchase work of at cars. Yesterday, on dated 03.11.2025, me and my friends Gurvinder Singh S/O Rajinder Singh, Lavpreet Singh @ Laddu son of Manmohan Singh residents of Manki,

due to Gurpurab, went to given service due to setting up of Halwai near telephone exchange. All three of us, after doing service around 9 o'clock, by walking through Baghor pathway on foot, got sat on the puli built on sua. Then, it was around 9:10 PM, then the person riding motorcycle came, who were four (4) in numbers. Then, Gurtej Singh @ Teji S/O Harjeet Singh resident of Chak Sarai PS Sadar Khanna, suddenly fired from pistol on me with the motive to kill me. That I got on as side. That the above fire hit in the stomach of my friend Gurvinder Singh S/O Rajinder Singh @ Raju R/O Manki. Then, the second fire was done by Harkamal Singh @ Karan son of Balwinder Singh R/O Maadpur on me, which hit me on the ribs on left side while I was running. Simmi resident Baliyo raised alarm that let him have the taste of taking dispute with Sandeep resident of Dyalpur. I do not know the name of fourth unknown person. I was having old enmity with them. Three years ago, they have targeted 12 bor rifle on my chest at village Dyalpura. At that time also, I could protect my life by running. Now, at the behest of Ravi resident of Rajgarh and Sandeep resident of Dyalpura, they have attacked on us. Upon seeing the gathering of people on the spot, they have fled away from the spot along with their vehicles and weapons. Then, we were got admitted to CH Samrala for treatment by the supporters of the village and my friend Lavpreet Singh Laddu son of Manmohan Singh R/o Manki. The above entire incident was seen by Lavpreet Singh @ Laddu and some other people of the village. Then, after giving initial first aid from CH Samrala, we were got admitted for treatment to Government Medical College Hospital Sec 32 Chandigarh, where I am undergoing treatment. Gurtej Singh @ Teji, Harkamal Singh @ Karan, Simmi at the R/O Baliyo and one unidentified person, behest of Sandeep Singh R/O Dyalpura and Ravi resident of Rajgarh, by doing deadly attack on us, have injured me and have murdered my friend, Gurvinder Singh. Strict legal action may be taken against them. Statement has been recorded to you, read, correct."

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 09.11.2025. Learned counsel has further submitted that the petitioner has falsely been implicated into the FIR in question. Learned counsel has further submitted that assuming *arguendo*, the prosecution version is taken to be correct, the petitioner is not stated to be present at the spot of occurrence where the murder has taken place & the petitioner has primarily stated to be helping the co-accused as also harboured them. Learned counsel has further submitted that the petitioner is a man of clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by

arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 31.03.2026 in the 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 09.11.2025 whereinafter investigation was carried out and Challan was presented on 30.01.2026. Total 48 prosecution witnesses have been cited out of which none has been examined till date. It is thus indubitable that the conclusion of the trial will take long time. The rival contentions raised at Bar give rise to debatable issues 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 31.03.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 04 months and 16 days & is stated to be not involved in any other case/FIR.

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 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.

April 01, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No