



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.12618 of 2025

Jaswinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	12.02.2026
2.	The date when the judgment is pronounced	27.02.2026
3.	The date when the judgment is uploaded on the website	27.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vipin Mahajan, Senior Advocate with
Mr. Utkrant Mahajan, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Manbir Singh Basra, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under



Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in DDR No.17 dated 10.07.2024 registered under Sections 103, 109, 132, 221, 324(4), 191(3), 190, 303(2), 317(2), 238 and 328 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and Sections 25, 27 and 30 of Arms Act, 1959 (For short “Act, 1959”) which is cross version of FIR No.77 dated 08.07.2024 registered under Sections 103, 109, 302, 132, 221, 324(4), 191(3), 190, 303(2), 317(2) and 238 of BNS and Sections 25, 27 and 30 of Act, 1959 at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

2. As per the allegations, on 07.07.2024, on receipt of an information by the police to the effect that an altercation had taken place between the members of two groups, one of which was headed by **Angrej Singh** and another by **Tarsem Singh**, a police party had rushed at Light Chowk, Shri Hargobindpur and it was found that there was exchange of fire between the members of both the groups and two persons namely, Shamsher Singh and Baljit Singh who were members of group of Angrej Singh, had died whereas Nirmal Singh and Balraj Singh, members of group of Tarsem Singh had sustained firearm injuries and were rushed to the hospital. After registration of FIR, investigation proceedings were initiated. The victims Nirmal Singh and Balraj Singh had also died. Postmortem examination of dead bodies of all the victims had conducted. On 10.07.2024, Tarsem Singh (**member of group No.2**) recorded his statement saying that on 07.07.2024, his nephew Varinder Singh and his wife Jasbir Kaur were followed by the members of group of Angrej Singh who by forming membership of an



unlawful assembly were intending to kill them. On receipt of that information, Tarsem Singh along with his family members and other associates, had rushed towards the informed place, where the accused Angrej Singh along with the co-accused, were found present. Accused Angrej Singh had made an exhortation and then shots were fired at them thereby causing firearm injuries to his brother Nirmal, Balraj Singh and nephew Gurpreet Singh. Others had also sustained injuries. On the basis of his disclosure, 22 persons including the petitioner Jaswinder Singh were nominated as accused vide DDR No.17. Subsequently, on the statement of Angrej Singh, cross DDR No.20 was registered. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross version. Members of both the groups had sustained injuries in the occurrence and two members of his group had sustained fatal injuries. As per the DDR 17, he had struck blow with datar on the shoulder of Tarsem Singh but as per the SIT report, he had given dang blow to Kulwinder Singh and there is no medico legal report of Kulwinder Singh on record. The injury even if sustained by Kulwinder Singh is either way simple in nature. He himself had sustained grievous injuries in the incident. He is 76 years old person and has been involved only on account of inter se rivalry between two groups simply because of the reason that he was present at the place of occurrence, he cannot be imputed the same level of culpability as compared to the other



accused. The absence of any specific evidence against him militates against the denial of bail. It is a case of group violence. His individual role has not been specifically established. He is in custody since long. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody any more. It is, therefore, argued that he deserves to be extended benefit of bail.

4. Per contra, learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that the allegations against the petitioner are that the petitioner formed membership of an unlawful assembly with the co-accused and in prosecution thereof had caused fatal injuries to some members of the other group. He had caused simple as well as grievous injuries on the person of Kulwinder Singh with a dang. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, to have caused injuries to them. The allegations prima facie show the factum of his presence at the spot of occurrence and causing some simple/grievous injuries to Kulwinder Singh. However, it is not the allegation against him that he in pursuance of common object with the co-accused had done any specific overt act to commit the offence of murder of the victims. In view of the part attributed to the petitioner, this Court is of



the considered opinion that the petitioner cannot be imputed the same level of culpability as compared to the assailants and he has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No