

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

2026:PHHC:040031



148

CRM-M-11870-2026

Date of decision: 16.03.2026

Date of uploading: 16.03.2026

Amandeep Singh @ Gaggu

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Gursharan Kaur Mann, Senior Advocate with
Mr. Anmol Jeevan S. Gill, Advocate,
Ms. Shruti, Advocate and
Mr. Arshjot S. Mohi, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNS 2023 for grant of regular bail to the petitioner in case bearing FIR No.114 dated 01.08.2024 registered for the offences punishable under Sections 103, 140, 191 (3), 190, 324(4), 351(2) of BNS 2023, at Police Station Talwandi Sabo, District Bathinda.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Statement of Chhinder Kaur, wife of Ajaib Singh, son of Mukhtiar Singh, resident of Sekhpura, presently residing at Maur Kalan, Raghu Patti, Ward No.04, aged about 48 years, Mobile No. 99158-40525, states that I am a resident of the above said address. My marriage was solemnized about 30 years ago with Ajaib Singh son of Mukhtiar Singh, resident of village Shekhpura. We are two sons elder is Gurwinder Singh, aged 26 years and younger to him Inderjit Singh ages 25 years. We all are residing at village Maur Kalan for the last about 25 years and doing labour work.

That Chhota Singh is biological father of my husband Ajaib Singh and Ajiab Singh has two more brothers namely Megha Singh and Bega Singh. Ajiab Singh was adopted by his uncle Mukhtiar Singh and later, two more sons namely Jagga Singh and Jagdip Singh were born in the house of Mukhtiar, who all are residing at village Shekhpura with their families. We have total 07 kanals of household land situated at Fatehgarh Novabad road at village Shekhpura, I own five kanals of land and remaining 02 kanals of land is also in our possession and the rest of their houses have 09 kanals of land and there is a dispute of 02 kanals which is in my possession. There were panchayats also convened but they don't resolve. Yesterday on 31.07.2024, I along with my husband Ajaib Singh and son Inderjit Singh and 5-7 labourers went to sown paddy crop. Time would be about 05 pm, we were sowing paddy, in the meantime, my brother in-law (Jeth) Megha Singh armed with Gandasa, brother in-law (Devar) Jagga Singh armed with Axe, brother in-law (Devar) Jagdip Singh armed with Gandasa, Darshan Singh son of Gulzar Singh armed with Khapra and along with 15-20 unknown persons came to our fields on motorcycles and immediately after coming my brother in-law (Devar) Jagga Singh exhorted to teach a lesson to Ajaib Singh for sowing paddy on the disputed land, while saying this Jagga Singh gave a blow of Axe towards my husband Ajaib Singh, which hit on the left side of the neck, then Jagdip Singh gave a gandasa blow on the right leg of my husband Ajaib Singh, then Megha Singh inflicted a blow of gandasa towards my husband, which hit on the right side of his stomach and he fell down, then Darshan Singh gave a khapra blow which hit on left elbow of my

husband Ajaib Singh, the unknown persons gave dangs, stick, fists and kick blows and caused damage to his motorcycle, they threatened our labour and us that go away from here otherwise you will also be treated like Ajaib Singh, due to fear of life we ran away and on our seeing, Jagga Singh, Jagdip Singh, Megha Singh, Darshan Singh etc., picked up my husband and made him to sit on the motorcycle and kidnapped him with an intention to kill, we followed them and noticed that they have taken my husband in the house of Jagga Singh and Jagdip Singh and started beating my husband Ajaib Singh, we raised a noise "save-save", then people of the surrounding area started gathering at the spot and the accused persons ran away from the spot, our close relatives Baljinder Singh son of Begha Singh resident of Sekhopura took my husband to Civil hospital Talwandi sabbo in his car and admitted there, after reaching in the hospital my husband died, the reason for dispute is that Jagga Singh, Jagdip Singh, Megha Singh, Darshan Singh etc., were stopping us from cultivating our land and they wanted to take possession forcibly, earlier also 03 months back they have given beatings to my husband Ajaib Singh and at that time also FIR registered against Megha Singh, Darshan Singh etc. Yesterday, on 31.07.2024, Jagga Singh, Jagdeep Singh, Megha Singh, Darshan Singh and 15-20 unknown persons gave beatings my husband Ajaib Singh and took him to his house and he was beaten badly and due to this reason my husband Ajaib Singh died, suitable legal action be taken against accused Jagga Singh, Jagdeep Singh, Darshan Singh, Megha Singh and 15-20 unknown persons, Member Gursewak Singh alias Khamma of our village was earlier supporting them, I have recorded my statement, heard and is correct. Action be taken, RTI/- Chhinder Kaur.”

3. Learned senior counsel for the petitioner has submitted that the petitioner is in custody since 05.09.2024. Learned senior counsel for the petitioner has further submitted the petitioner has been falsely implicated into the FIR in question. Learned senior counsel for the petitioner has further argued that no specific role is attributed to the

petitioner, although he is part of the unlawful assembly which is alleged to have committed the murder. Thus, regular bail is prayed for.

4. Learned State counsel opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 14.03.2026 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 05.09.2024 whereinafter investigation was carried out and challan was presented. Total 47 prosecution have been cited, out of which the complainant/PW-Chhinder Kaur and another witness namely Inderjit Singh have been partly examined. It is not in dispute that the conclusion of trial will take long time. At this juncture, it would be apposite to refer herein to the *dicta* passed by the Hon'ble Supreme Court ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another, 2024(3) RCR (Criminal) 494***, relevant whereof reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under [Article 21](#) of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. [Article 21](#) of the Constitution applies irrespective of the nature of the crime.”

The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. As per the custody certificate dated 14.03.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 1 year, 6 months & 7 days and is stated to be involved in two other FIRs/cases. 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 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, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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.

9. 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.

10. Ordered accordingly.
11. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
12. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

March 16, 2026
Naveen

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