



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

Sr. No.214

CRM-M-14090-2026
Date of Decision: 24.04.2026

LOVEPREET SINGH @ LABHA**...Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Simranjit Singh Brar, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

Mr. Manbir Singh Basra, Advocate and
Mr. Anupinder Brar, Advocate
for the complainant.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the BNSS, 2023 (corresponding to Section 439 Cr.P.C.) for the grant of regular bail to the petitioner in case bearing FIR No. 15, dated 12.02.2025, registered under Sections 103, 190, 191(3), 61(2) of the BNS (corresponding to Sections 302, 148, 149 and 120-B of IPC) and Sections 25 and 27 of the Arms Act, 1959 at Police Station Kalanaur, District Gurdaspur.

2. Brief facts of the case are that as per the prosecution version, the FIR was registered on the statement of the complainant Gurwinder Singh, who alleged that on 12.02.2025 at about 1:30 PM, while he and his brother were travelling towards Kalanaur, certain accused persons, including the present petitioner, allegedly came in vehicles and one of them allegedly



opened fire at the complainant party. It is alleged that the complainant's brother sustained injuries and later succumbed. The occurrence is stated to have arisen out of previous village rivalry relating to Panchayat issues. The accused persons allegedly fled from the spot after the incident.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case due to village rivalry and political pressure. It is submitted that the complainant party had inimical relations with the petitioner's family on account of Panchayat elections, and the present FIR has been lodged to settle personal scores. The petitioner is stated to be serving in the Indian Army and is the sole breadwinner of his family having minor children. It is further contended that the petitioner was not present at the spot at the time of the alleged occurrence and was at his in-laws' house, thereby raising a plea of alibi. It is also argued that neither the complainant nor the injured was present together at the time of the occurrence, and the prosecution version is doubtful. The petitioner seeks parity with co-accused who have already been granted bail by this Court.

4. On the other hand, learned State counsel has filed a custody certificate showing that the petitioner has undergone custody of one year, two months and four days. It is submitted that serious allegations have been levelled against the petitioner and his case is not on parity with other co-accused who have been released on bail. In fact, the petitioner is the one who fired upon the brother of the complainant, namely Nirmal Singh, who died due to the said bullet injury. It is further submitted that though the petitioner has taken a plea of alibi claiming that he was not present at the



spot on the day of occurrence, the same is a matter of evidence and he will have an opportunity to lead defence evidence during trial. At this stage, such plea cannot be considered while adjudicating the present petition for regular bail. It is also contended that a .30 bore pistol used in the commission of offence along with eight live cartridges and one empty cartridge have been recovered from the petitioner. The Bullet motorcycle used in the crime has also been recovered from him, which was used to reach the place of occurrence. The complainant and his brother Palwinder Singh are cited as material witnesses in the case.

5. After hearing learned counsel for the parties and perusing the record, this Court finds that the role attributed to the petitioner is specific and grave in nature, inasmuch as he is alleged to have been riding a motorcycle and opened fire upon the complainant's brother Nirmal Singh, who succumbed to the gunshot injury. The case of the petitioner is not at par with the co-accused who have been granted bail, as he is attributed the role of main assailant. The plea of alibi raised by the petitioner is a matter to be established during trial and he shall be at liberty to raise the same at the stage of defence, however, such plea cannot be examined at this stage while considering the prayer for regular bail. There are 29 prosecution witnesses and the material witnesses are yet to be examined.

6. In view of the seriousness of allegations and the specific role attributed to the petitioner, no ground for grant of regular bail is made out. Accordingly, the present petition is dismissed.



- 7. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.
- 8. All pending applications, if any, also stand disposed of.

24.04.2026

Anu

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(MANDEEP PANNU)

JUDGE