



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

Sr. No.220

CRM-M-13922-2026
Date of Decision: 08.04.2026

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

Present:- Mr. Rahul Aggarwal, Advocate
for the petitioner.

Mr. H.S. Wadhwa, DAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the second petition under Section 483 of the BNSS, 2023 (corresponding to Section 439 Cr.P.C.) for grant of regular bail to the petitioner in FIR No. 0181 dated 05.08.2024, registered under Sections 103(1) read with Section 3(5), 304 read with Section 3(5), 238, 317(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 302 read with Section 34, 379 read with Section 34, 201 and 411 IPC), at Police Station Balongi, District SAS Nagar (Mohali).

2. Briefly, the case of the prosecution is that the present FIR was registered on the basis of the statement of the complainant Munazzir, who stated that he was a junk dealer. On 05.08.2024, he along with his cousin Farasat @ Chun had gone on their motorcycle cart from Industrial Area, Patiala towards Landran to collect junk. At about 04:00 AM, the complainant went towards Kharar while his cousin proceeded towards Chappar Chiri. After some time, when the complainant reached near



Chappar Chiri, a passerby informed him that a motorcycle cart was lying parked behind the Chappar Chiri Monument and a dead body was lying nearby. Upon reaching the spot at about 07:00 AM, he found that his cousin Farasat @ Chun was lying dead near the motorcycle cart and his head had been severed. On the basis of the said statement, the present FIR was registered.

3. Learned counsel for the petitioner has argued that the petitioner is in custody for the last one year and five months and only five prosecution witnesses have been examined till date. It is further contended that the FIR was initially registered against unknown persons and the petitioner has not inflicted the fatal blow to the deceased. The only allegation against him is that he was present at the spot and is shown in the video recording the incident. It is thus submitted that considering his prolonged custody and limited role, he deserves the concession of regular bail.

4. On the other hand, learned State counsel has opposed the bail application and has placed on record the custody certificate, admitting that the petitioner is in custody for one year and five months. It is submitted that the present case pertains to a brutal and barbaric murder wherein the head of the deceased was severed from the torso. The petitioner was very much present at the spot and had actively participated in the crime. Therefore, no leniency should be shown to him.

5. I have heard learned counsel for the parties and have perused the record. The allegations against the petitioner are serious in nature and the manner in which the offence has been committed shows extreme brutality.

The fact that the petitioner was present at the spot and was recording the



incident indicates his active involvement and knowledge of the occurrence. At this stage, such conduct cannot be treated lightly. Further, the trial is progressing and cannot be said to be moving at a snail’s pace as five prosecution witnesses have already been examined.

6. Considering the gravity of the offence, the manner of its commission and the stage of trial, this Court does not find it to be a fit case for grant of regular bail.

7. Accordingly, the present petition is dismissed.

8. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.

9. All pending applications, if any, also stand disposed of.

08.04.2026
Anu

(MANDEEP PANNU)
JUDGE

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