

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

2026:PHHC:063512



CRM-M-16113-2026 (O&M)

Chetan

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	22.04.2026
2	The date when the judgment is pronounced	27.04.2026
3	The date when the judgment is uploaded on the website	27.04.2026
4	Whether only operative part of the judgment is pronounced or 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. Rishu Mahajan, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Avtar Singh, Advocate and
Mr. Narinder Lucky, Advocate for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) by the petitioner seeking grant of regular bail in case bearing FIR No. 169 dated 04.12.2025 registered under Sections 103(1), 3(5) and 249(B) of BNS, 2023 and Sections 25 and 27 Arms Act, 1959 at Police Station Satnampura Phagwara, District Kapurthala.
2. The aforementioned FIR was registered on the basis of the

statement recorded by the complainant Manish Ghai alleging therein that on the night of 03.12.2025, his brother Avinash @ Golu along with his companion Karan had gone to a marriage house. Accused Jasprit Singh @ Jassi, who was present there along with Raj Karan @ Golu and some unknown persons, started taunting at Avinash @ Golu. A verbal altercation had taken place between them. The complainant had also reached there in the meantime. Within his sight, accused Jasprit Singh @ Jassi made an exhortation that Avinash @ Golu should not be spared and then accused Jasprit Singh @ Jassi, by taking out a pistol, fired a shot which hit the neck of complainant's brother. Then accused Jasprit Singh @ Jassi fled away from the spot along with his accomplices in a Creta vehicle. The complainant immediately took his brother to the hospital but he was declared to be brought dead.

3. After registration of the FIR, investigation proceedings were initiated. During investigation, accused Raj Karan @ Golu and Amritpal Singh @ Amrit were arrested. Accused Raj Karan @ Golu suffered disclosure statement to the effect that after firing shot upon the victim, he along with co-accused Jasprit Singh @ Jassi and Vijay had gone to Om Dhaba owned by the present petitioner, wherein Jasprit Singh @ Jassi had handed over the weapon of offence i.e. pistol to the petitioner. The petitioner was nominated as accused and was arrested on 14.01.2026. Offence under Sections 249 of BNS was added. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement suffered by the abovenamed co-accused, which is not admissible in evidence. He had no role to play in the murder of the victim. No recovery has been effected from him. The recovery of weapon of offence was effected from co-accused in some

other case. He is not required for any further investigation. The conclusion of trial would take considerable time. No useful purpose would be served by detaining him into custody anymore. His antecedents are clean. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

5. Status report and custody certificate of the petitioner have been filed by the respondent-State. Learned State counsel, assisted by learned counsel for the complainant, has argued that keeping in view the gravity of the allegations levelled against the petitioner, he does not deserve to be given the benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. The role attributed to the petitioner is limited to receiving of the firearm from the co-accused Jasprit Singh @ Jassi, which was allegedly used by him in committing murder of the victim. The petitioner was not named in the FIR. The linkage sought to be established between the petitioner and the alleged act primarily rests upon the disclosure statement of the co-accused and circumstantial inferences. This role is quite distinct and remote from the direct commission offence punishable under Section 103(1) of BNS. The petitioner has admittedly been booked under Section 249 of BNS. This Court is required to test as to whether the material collected against the petitioner justifies his continued pre-trial incarceration bearing the nature of the allegations as levelled against him. Even the firearm, allegedly received by the petitioner from co-accused Jasprit Singh @ Jassi, has not been recovered at his instance but was recovered from co-accused only. The petitioner has been in custody since 14.01.2026. He has clean antecedents. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by

keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

27.04.2026

Waseem R. Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>