



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

CRM-M-16812-2026

Date of Decision: 27.04.2026

Avtar Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Karan Singla, Advocate and
Ms. Malvi Aggarwal, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Vinod S. Bhardwaj, J. (ORAL)

1. Present petition has been filed under Section 483 of the BNSS for seeking regular bail in case arising out of FIR No.177 dated 02.11.2025, registered under Sections 103(1), 3(5) of the BNS, 2023 (Sections 302 and 34 IPC) read with Sections 25/27 of the Arms Act, 1959, at Police Station Raja Sansi, District Amritsar Rural, Punjab.
2. Learned counsel appearing on behalf of the petitioner contends that the aforesaid FIR was registered on the statement of Surjit Singh son of Sohan Singh in relation to murder of his son Malkit Singh. Translated version of the same reads thus:-

" I have two sons, my elder son Kulbir Singh has gone to Dubai and younger to him Malkit Singh who came to village Dhariwal (Bagga) from Italy on 15.08.2025 and younger to him is Palwinder Kaur. All



are married. Today, I and my son Malkit Singh took on rent a tractor along with a superseeder from Sukhbir Singh, son of Karaj Singh, resident of Dhariwal Bagga, to sow wheat in the above-mentioned fields. While we were sowing wheat, at around 7.00 PM, Bikramjit Singh son of Sukhwinder Singh, resident of Dhariwal Bagga, along with an unknown person came to me and my son Malkit Singh in the field. As they arrived, Bikramjit Singh and the unknown person took out a pistol and fired 8-10 bullets directly at my son Malkit Singh indiscriminately and fled away from the spot along with their weapons while raising lalkaras. Due to being hit by 8-10 bullets, my son Malkit Singh fell down being badly injured. My son Malkit Singh called his wife Satinder Kaur from his mobile phone and told her that Bikramjit Singh son of Sukhwinder Singh resident of Dhariwal (Bagga) and an unknown person had shot me. Later in the day, my nephew Gurpreet Singh son of Gurcharan Singh resident of Dhariwal (Bagga) also heard the sound of the bullets and came to me in our fields. Seeing that my son Malkit Singh was shot, he quickly called Sarabjit Singh son of Anoop Singh resident of Dhariwal (Bagga) and brought his car. Me, Gurpreet Singh and my daughter-in-law Satinder Kaur brought my son Malkit Singh in a wounded condition to the hospital. On the way, my son kept telling me, Gurpreet Singh and his wife Satinder Kaur that Bikramjit Singh son of Sukhwinder Singh resident of Dhariwal (Bagga) and an unknown person had shot him. Dr. Sahib started treatment of my son Malkit Singh at Livasa Hospital. During the treatment, my son Malkit Singh died in Livasa Hospital itself. The reason for the shooting is that my son Malkit Singh had a minor argument with Bikramjit Singh before 2-3 days about something and during the argument, Bikramjit Singh used to say that "I will see you". I left Gurpreet Singh son of Gurcharan Singh, resident of Dhariwal Bagga, near the body of my son Malkit Singh and took Dilbag Singh son of Darsan Singh, resident of Dhariwal Bagga with me and was going to Raja Sansi police station to inform that you have met me and have got recorded statement in writing."



2.1 Learned counsel contended that as per the investigation conducted by the Police, the said murder was committed by two persons, namely, Bikramjit Singh and Karanbir Singh. It is contended that the only case set-up against the petitioner is to the effect that Bikramjit Singh had procured five weapons, which includes four pistols and one revolver, from some person in Saharanpur and that he had been assisted by the petitioner herein in procuring the said weapons from a contact in Saharanpur. It is contended that the petitioner is not named in the FIR and had no animosity against Malkit and there is nothing on record to infer that the petitioner had orchestrated the alleged murder or had any material gain from the said murder. He further contends that petitioner has been in custody since 2018 in relation to another FIR bearing No. 121 dated 18.11.2018 under Section 302 and 307 IPC and that there is nothing on record on the basis whereof, it may be established that the petitioner was in contact with the co-accused Bikramjit Singh or any circumstance to indicate that the petitioner had assisted Bikramjit Singh in securing the weapons.

2.2 It was further contended that petitioner was taken into custody in the present case on 22.12.2025 and the charge-sheet has also been filed, but nothing has been recovered from the petitioner even during his arrest and there is no evidence about the petitioner having participated in the commission of the offence by any direct or indirect means. There are 33 prosecution witnesses cited by the prosecution, but none has been examined so far, thus, conclusion of trial will take sufficiently long time.

3. Learned State counsel is not in a position to dispute the facts



referred to here-in-above, however, he has contended that petitioner has criminal antecedents and had informed the assailant Bikramjit Singh about the place wherefrom the weapons could be secured.

4. Heard learned counsel for the parties and perused the paper-book.

5. Without commenting on the merits of the present case and taking into consideration that there are arguable issues with regard to criminal liability of the petitioner in the commission of the offence and also with respect to the petitioner being instrumental in securing weapons for the co-accused, there being no recovery from the petitioner and undisputedly, he being in custody since 22.12.2025, no useful purpose would be served by keeping him in custody any further, thus, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate/CJM concerned.

6. Anything observed here-in-above shall not be taken as an expression of opinion on the merits of the case pending before the trial Court.

(VINOD S. BHARDWAJ)

JUDGE

27.04.2026

SN

Whether Speaking/Reasoned :

Yes/No

Whether Reportable :

Yes/No