

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

2026 PHHC 056342



CRM-M-18529-2026 (O&M).
Date of decision: 10.04.2026.

KULWINDER SINGH ALIAS PINDU

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

PRESENT Mr. Yashpal Thakur, Advocate,
for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.71 dated 22.05.2021, under Sections 302, 307, 447, 506,
511 and 34 of the Indian Penal Code, 1860 and Section 25 and 27 of the Arms
Act, 1959, (wrongly mentioned as only Section 27 whereas in the FIR, it is
mentioned as Section 25 and 27 of the Arms Act. 1959 (Charge Sheet
presented under Sections 302, 307, 447, 506, 511 and 34 of the IPC, 1860,
and Sections 27 of the Arms Act, 1959), registered at Police Station Mullanpur
Garibdass, District SAS Nagar (Mohali).

Succinctly stated, the present FIR was lodged on the basis of the statement of the complainant Parminder Singh, who stated that he was working as a property dealer under the name and style of “Sidu Brar” along with Balvir Singh. It was alleged that Balvir Singh had purchased land measuring 31 marlas from one of the co-sharers, namely Harjinder Singh, pursuant to which a sale deed was executed in his favour and he was placed in possession of the said land, upon which he subsequently constructed two shops. According to the prosecution, Jaspal Singh, Kulwinder Singh @ Pindu, Sehaj, and Avtar Singh @ Gholi began asserting that the said land did not belong to Balvir Singh and that they had constructed shops thereon. The complainant party, however, maintained that Harjinder Singh @ Bille had delivered possession of the land to them, on the basis of which the construction had been raised. It is further alleged that the aforesaid persons ploughed the land and removed the pillars erected thereon. As per the case set up by the prosecution while the complainant, Balvir Singh and Dilbagh Singh @ Lali were present on the said land, the accused Jaspal Singh @ Jassi, Kulwinder Singh @ Pindu, Sehaj and Avtar Singh @ Gholi arrived at the spot and extended threats. It is alleged that Kulwinder Singh @ Pindu and Jaspal Singh were armed with revolvers, while the other accused entered the fields and raised exhortations to teach the complainant party a lesson. During the course of the incident, Jaspal Singh fired from his pistol, whereafter Kulwinder Singh @ Pindu also fired towards the complainant party. One of the shots was directed at Dilbagh Singh, who managed to save himself, while another shot struck the complainant on his forehead. It is further averred that Kulwinder Singh @ Pindu fired another shot which hit Balvir Singh in the

chest, causing him to fall to the ground. Thereafter, the accused persons fled from the place of occurrence while extending threats. Balvir Singh was subsequently taken for medical treatment to PGI, Chandigarh, where he was declared brought dead by the attending doctor.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was arrested on 23.05.2021 and he is in custody since then. He contends that the petitioner has undergone an actual custody of 04 years, 10 months and 07 days and that the trial is yet to commence. He contends that the petitioner has no criminal antecedents. He further contends that out of 31 witnesses cited by the prosecution, only 05 witnesses have been examined so far, hence, in view of the long incarceration of the petitioner, he deserves the concession of regular bail.

State counsel, on the other hand, contends that the petitioner is the main accused who has caused the fatal injury which such injury attracting Section 307 IPC has been attributed to the petitioner herein. She, however, does not dispute the period of custody already undergone by the petitioner as well as the stage of the trial and that the petitioner has clean antecedents.

Having heard counsel for the parties, without commenting any further on the merits of the case and taking into consideration the period of custody already undergone by the petitioner which is nearly 04 years, 10 months and 07 days, the stage of the trial where only 05 witnesses out of 31 witnesses cited by the prosecution have been examined so far and 26 witnesses are yet to be examined as well as clean antecedents of the petitioner, I deem it appropriate to allow the present petition.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

April 10, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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