



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

CRM-M-19530-2026

Date of decision : 07.05.2026

Gurnam Singh

....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. H.S. Chaddha, Advocate
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.18 dated 21.02.2025, under Sections 103, 238 of BNS, 2023 (Sections 281, 106 of BNS, 2023 added later on), registered at Police Station Sri Chamkaur Sahib, District Rupnagar.

2. Succinctly, facts of the present case are that the FIR has been lodged on the statement of complainant Gurdeep Singh. It was alleged that they are three brothers and one sister. All of them are married. His father Gurbachan Singh was doing work of hair cutting (buffaloes). His father used to visit Gurudwara Jand Sahib daily to pay obeisance. Till the late evening of 20.2.2025, his father did not come back home. They tried to search for him at all possible places and from all possible sources but he could not find him. On 21.2.2025 at about 10.00 AM, Ex-Sarpanch Gurpreet Singh called him and informed him that the dead body of his father Gurbachan Singh was lying on the road leading from Jand Sahib to Raipur, village Jand Sahib. When they reached on the spot, he noticed that his father had sustained injuries on his forehead and that blood was oozing



out from his wounds. He inquired the matter at his own level and came to know that while his father was walking down the road, an unknown vehicle had hit his father, the said vehicle being driven at a high speed and in a rash and negligent manner. Due to the impact, his father had fallen down on the road and had died on the spot. Hence, request was made to take legal action against the accused. Thus, the FIR was registered. On registration of FIR, investigation commenced. During investigation, complicity of the petitioner surfaced and he was arrested on 17.03.2025. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioner approached the learned Sessions Judge, Rupnagar, for grant of bail, however, after hearing both the sides, the said relief was declined vide order dated 30.03.2026. Being aggrieved, petitioner is before this Court by way of filing the present petition for grant of concession of regular bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has submitted that the FIR was lodged on the statement of Gurdeep Singh i.e. son of the deceased. He has contended that initially, the FIR was lodged for the offence under Sections 281, 106 of BNS (erstwhile Sections 279 & 304-A IPC), however, during investigation, on the statement of one Gurpreet Singh, offence under Sections 103 and 238 of BNS (erstwhile Sections 302 & 201) were added. He has contended that the petitioner was alleged to have made an extra-judicial confession before Gurpreet Singh regarding murder of the deceased. To buttress his arguments, learned counsel has contended that the case of the prosecution is totally an afterthought. He has submitted that Gurpreet Singh has been examined by



the prosecution before the trial Court as PW-1 and he has not supported the case of the prosecution. He has contended that once the material witnesses to the extra-judicial confession have not supported the case of the prosecution, the case of the prosecution fall flat. He has contended that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that the material witnesses already stand examined. He thus, has submitted that the petitioner be granted the concession of regular bail.

4. Learned State counsel has, however, opposed the submissions made by learned counsel for the petitioner. He has submitted that though initially, it was considered to be an accidental case but during investigation, it was found that the petitioner in a well-planned manner had murdered the father of the complainant as brick-bat blows were given with a strong motive to eliminate him. He has submitted that the postmortem report corroborates the case of the prosecution. He, on instructions, has submitted that out of 16 prosecution witnesses, 08 witnesses have already been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is evidently based on circumstantial evidence. Initially, the FIR was considered to be an accidental case but later on, on the basis of alleged extra-judicial confession made by the petitioner before one Gurpreet Singh, offence under Sections 103, 238 of BNS were added. However, the witness to the extra-judicial confession is Gurpreet Singh, who has been examined as PW-1 and he has not supported the case of the prosecution. As submitted,

out of 16 prosecution witnesses, 08 witnesses already stand examined. Custody certificate filed by the State shows that the petitioner has undergone incarceration of 01 year, 01 month and 16 days as on 06.05.2026. It further reflects that the petitioner is not involved in any other case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

07.05.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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