

2026:PHHC:084825



2026:PHHC:084826



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

240+258

Decided on: 27.05.2026

1. CRM-M-19756-2026 (O&M)

GAGANDEEP

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

2. CRM-M-29526-2026

KARANDEEP

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sandeep Sharma, Advocate for the petitioner
(in CRM-M-19756-2026).

Mr. Gurminder Singh Phull, Advocate for the petitioner
(in CRM-M-29526-2026).

Mr. Subhash Godara, Addl. A.G., Punjab.

SUBHAS MEHLA, J. (Oral)

1. By this common order, two petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS') arising out of same FIR are being adjudicated whereby the petitioners are seeking regular bail in case bearing FIR No.35 dated 25.02.2026 under

2026:PHHC:084825



2026:PHHC:084826



Sections 111, 61(2) and 351 of the Bharatiya Nyaya Sanhita (BNS), 2023 (for short - 'the BNS') and Section 25 of the Arms Act, 1959 registered at Police Station Mehtiana, Distirct Hoshiarpur.

2. Briefly stated, the present FIR was got registered by complainant, namely, Jasvir Singh alias Goldy wherein he stated that he is a sarpanch of village Sahri. He alleged that on 20.02.2026, at night around 10.30 pm, he received a phone call from the petitioner-Gagandeep of the same village that 07 persons armed with weapons are sitting at his house and asking about him so as to kill him and for this, a ransom of Rs.3 lacs has been paid to them. It is further alleged that petitioners in collusion had formed a group who used to consume intoxicants and sell the same and they are also in possession of illegal weapons.

3. Learned counsel for the petitioners prayed for grant of concession of regular bail on the following grounds:

(I) the petitioners have been falsely involved in this case due to the village friction;

(II) after petitioners' arrest, no recovery has been effected from their possession i.e. no illegal weapon(s) have been recovered nor any evidence qua the petitioners as to who allegedly has given ransom or hired the petitioner(s) to allegedly kill the complainant-Sarpanch as allegations are solely based upon one-sided version of the complainant;

2026:PHHC:084825



2026:PHHC:084826



(III) investigation in the present case has been completed and challan stands presented;

(III) the petitioner-Gagandeep has been in custody since 02.03.2026 whereas the petitioner-Karandeep has been in custody since 01.03.2026;

(IV) the petitioners are having clean and clear antecedents and are not involved in any other case;

(V) Nothing has been recovered from the petitioners i.e. any illegal weapon or name of the person who was hired to kill the complainant;

(VI) trial is likely to take long time, as such, no fruitful purpose would be served by keeping the petitioners behind the bars.

4. Notice of motion.

5. On advance notice, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepted notice on behalf of respondent-State and opposed the concession of regular bail on the following grounds:

(I) the petitioner-Gagandeep in conspiracy with co-accused, informed the Sarpanch of the village that someone has given a contract for his killing and the persons are sitting with him and the said petitioner stated that he will take care of them;

However, it is fairly admitted that nothing has been recovered from the petitioners after their arrest nor they disclosed as to who

2026:PHHC:084825



2026:PHHC:084826



engaged the alleged contract killer(s) to kill the complainant-Sarpanch.

6. Custody certificates dated 26.05.2026 qua the petitioners have been filed by learned State counsel and the same are taken on record. As per custody certificates, the petitioner-Gagandeep has been behind the bars since 01.03.2026, i.e. for about 02 months and 27 days whereas petitioner-Gagandeep has been in custody since 02.03.2026 for a period of 02 months and 24 days.

7. Heard.

8. Taking into consideration the facts and circumstances of the present case, the rival contentions raised by learned counsel for the parties, this Court finds merit in the present petition on the following aspects:

- (I) the petitioners have been in custody for a period of almost three months;
- (II) the investigation has been completed and challan has been filed;
- (III) nothing has been recovered from their possession after their arrest nor any fact with regard to identity or details of killing of the complainant has been discovered in pursuance of their disclosure statements;

2026:PHHC:084825



2026:PHHC:084826



(IV) trial is likely to take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period.

9. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

10. Therefore, without expressing any opinion on the merits of the case, the present petitions are **allowed**. The petitioners are directed to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11. Pending applications, if any, also stand disposed of.

12. A photocopy of this order be placed on the file of the connected case.

(SUBHAS MEHLA)
JUDGE

27.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO