



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

Sr. No.236

CRM-M-20450-2026
Date of Decision: 29.04.2026

SARWAN SINGH ALIAS SONI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Ritu Raj Singh, DAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the second criminal miscellaneous petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioners in case FIR No. 0312 dated 04.12.2023, under Sections 452, 323, 506, 148, 149 IPC (new Sections 333, 115(2), 351(2), 351(3), 191(3), 190 of BNS, 2023) and offences under Sections 302, 307 and 324 IPC added later on (new Sections 103, 109, 118 of BNS, 2023), registered at Police Station Jandiala, District Amritsar Rural.

2. As per the allegations appearing on record, on 03.12.2023 at about 3:30 p.m., the complainant Ranjit Kaur alias Neetu, wife of Sandeep Singh, resident of Nangal Maurh, Fatehpur Rajputan, Police Station Jandiala, District Amritsar, along with her father-in-law Balveet Singh and mother-in-law Joginder Kaur was present at home when she heard a commotion. On coming outside, she found that Sarwan Singh alias Soni



armed with a datar, Veer Singh alias Veeru armed with a datar, Prabhjot Singh alias Lucky armed with a kirpan, Shingara Singh armed with a datar, Karan Singh son of Shingara Singh armed with a datar, Arun Singh son of Shingara Singh armed with a baseball bat, Karan son of Sukhwinder Singh armed with a dang, Billa armed with a datar, Ravi armed with a datar, Surjit Singh alias Ghuggi armed with a dang, Vishal Singh armed with a dang, Akash Singh armed with a dang and 5–6 other unidentified persons armed with dandas and datars forcibly entered the house of her brother-in-law (Jeth) Kuldeep Singh.

3. It is further alleged that the assailants started giving beatings to Kuldeep Singh, Rajvinder Kaur, Ravideep Singh and Simranjit Kaur who were present in the house. Prabhjot Singh alias Lucky, Veer Singh alias Veeru and Shingara Singh caused injuries on the head of Kuldeep Singh with their respective weapons, whereas Arun, Billa and Surjit Singh caused injuries to Simranjit Kaur and Ravideep Singh. Simranjit Kaur suffered injuries on her head while Ravideep Singh sustained injuries on his head, left arm and fingers of his left hand. Akash and Vishal also caused injuries with their respective weapons to Rajvinder Kaur.

4. It is further the case of the prosecution that thereafter all the assailants proceeded towards the house of the complainant and forcibly entered her house. Ravi and Sarwan Singh alias Soni allegedly caused injuries with their respective weapons on the head and left thigh of Balveet Singh. When the complainant, her mother-in-law Joginder Kaur and Sukhwinder Kaur alias Bau ran inside a room to save themselves, Sarwan



Singh alias Soni and Karan son of Shingara Singh chased them and caused injuries to Joginder Kaur and Sukhwinder Kaur with their respective weapons. Joginder Kaur sustained injuries on both her arms whereas Sukhwinder Kaur suffered injuries on her head. It is also alleged that Prabhjot Singh alias Lucky and Surjit Singh slapped the complainant. In the meantime, Jarnail Singh, Member Panchayat, reached the spot and tried to intervene but Ravi and Sarwan Singh also gave him beatings as a result of which his right arm was fractured, after which all the assailants fled away from the spot.

5. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and has no role to play in the alleged occurrence. It is submitted that during the course of investigation no direct evidence has come on record which establishes the involvement of the petitioner in the alleged offence. It is further argued that the material witnesses of the prosecution including the complainant Ranjit Kaur @ Neetu and other eye witnesses namely Simarjit Kaur, Ravideep Singh, Rajwinder Kaur and Balveet Singh have already been examined during trial and they have not supported the case of the prosecution and have turned hostile. It is further submitted that the petitioner is in custody since 04.12.2023 and have thus undergone incarceration for the last 2 years and 04 months. It is contended that the investigation in the case is complete, the challan has already been presented and no useful purpose would be served by keeping the petitioner behind the bars any further. The petitioner is stated



to be ready to abide by all the terms and conditions that may be imposed by this Court.

6. Per contra, learned State counsel has filed his short reply and opposed the prayer for bail and submitted that serious allegations of committing murder has been levelled against the petitioner. It is argued that merely because some witnesses have not supported the case of the prosecution cannot be a ground to grant bail to the petitioner. It is further contended that the allegations in the FIR disclose the involvement of the petitioner in the commission of the offence and therefore the present petition deserves to be dismissed.

7. I have heard learned counsel for the parties and have gone through the material available on record. In the present case, the material witnesses including the complainant and the eye witnesses have already been examined during trial and they have not supported the case of the prosecution and have been declared hostile. Thus, at this stage, the prosecution case against the petitioner stands substantially weakened. It is also not disputed that the petitioner has been in custody for the last 2 years and 04 months and no material witness now remains to be examined. Keeping in view the custody period of the petitioner, the fact that the material witnesses have already been examined and have turned hostile, and the likelihood of the trial taking further time for its conclusion, this Court is of the considered view that further incarceration of the petitioner would serve no useful purpose.



8. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.
9. However, anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.
10. All pending applications, if any, also stand disposed of.

29.04.2026

Anu

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(MANDEEP PANNU)
JUDGE