



219-2

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

**CRM-M No.25560 of 2025
Date of Decision: 17.02.2026**

Bagicha Singh**..... Petitioner**

Versus

State of Punjab**..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Gagandeep Singh Bajwa, Advocate
for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

Mr. S. P. S. Aulakh, Advocate
for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.130, dated 27.06.2024, under Section 302, 307, 447, 511, 148, 149, 120-B, 411, 201 of IPC and Sections 25/27 of Arms Act, registered at Police Station Lopoke, District Amritsar Rural.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Nirmal Singh @ Nimma. It was alleged that land of the complainant as well as of his brothers' is on the road of village Awan Lakha Singh and land on the other side of the road, is of retired Inspector Inderjit Singh. It was alleged that 05 kanal land of the retired Inspector Inderjit Singh was adjacent to our land and our 05 kanal land is adjacent to his land. It was alleged that the said land was verbally transferred by our elders around 40 years ago to each other and



due to the said exchange, complainant's and his brother's 5 kanal land belongs to Inderjit Singh and his 05 kanal land belongs to the complainant and his brothers. It was alleged that on 27.06.2024, at about 3/3:30 P.M., the complainant, along with his brother-Gurpreet Singh, father-Gurbachan Singh and nephew, namely, Beant Singh were irrigating the paddy crop in their fields. In the meantime, Inderjit Singh came there on his Activa accompanied by 10-12 persons, who were in the cars make Swift and Honda City, namely, Satnam Singh, Harbhej Singh @ Veeru, Charanjit Singh @ Mannu, Shamsher Singh, Gurpreet Singh, Bagicha Singh (petitioner), Surjit Singh, Gurmeet Singh, Mahinder Singh and 5-7 unknown persons. Some of them were armed with 12 bore double barreled rifles, some with 315 bore rifles and others with revolvers and pistols. They all started raising dispute regarding 5 kanals of land. Inderjit Singh raised lalkara and Shamsher Singh destroyed the crop with his tractor sown by the complainant. Thereafter, when the complainant party tried to stop them, the accused started firing from their weapons, due to which, the complainant, his brother Gurpreet Singh, nephew Beant Singh, Jagtar Singh, Baljit Singh, Mangal Singh and his father Gurbachan Singh suffered bullet/fire shot injuries and thereafter, the accused fled away from the place of occurrence along with their respective weapons. The injured were moved to Amandeep Hospital, however, Gurpreet Singh and Beant Singh succumbed to their injuries. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The petitioner was arrested on 26.08.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of



learned Additional Sessions Judge, Amritsar praying for the grant of regular

bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Amritsar dismissed the bail application filed by the petitioner vide order dated 17.04.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is a labourer, who was not armed at the time of occurrence, though the allegation against him is that he was accompanying the co-accused. He has submitted that the petitioner is behind bars since 26.08.2024, however, there is no material progress in the trial. He has further submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. Learned counsel for the complainant has vehemently opposed the same and has submitted that no ground for the grant of bail to the petitioner is made out and thus the present petition deserves to be dismissed.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that there are serious allegations against the petitioner. He has submitted that the petitioner was the member of unlawful assembly and in the present case, two persons have lost their lives and 05 other persons have suffered bullet/fire shot injuries. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. Heard.

7. After hearing counsel for the parties and perusing the record, it



is deciphered that the petitioner is behind bars since the date of his arrest, i.e.

26.08.2024. The petitioner is a labourer and he was not armed with any weapon. The allegations against the petitioner is only that he was accompanying the co-accused. However, no recovery has been effected from the petitioner. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year, 05 months and 17 days as on 16.02.2026. It further reflects that the petitioner is not involved in any other case.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. 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.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

17.02.2026

rittu

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No