

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

2026:PHHC:087578



CRM-M-33453-2026 (O&M).
Date of decision: 16.06.2026.

GURJANT SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

PRESENT Mr. Sukhmeet Singh, Advocate,
for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG, 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.138 dated 17.09.2025, under Section(s) 103 and 61(2) of
the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar Moga,
District Moga.

Learned counsel appearing on behalf of the petitioner contends
that FIR in the present case was registered on the statement of Kewal Singh

son of Nanak Singh made to the effect that his elder son Dharampreet Singh, aged 22 years, had visited his house from Village Talwandi Bhai and, after taking tea and refreshments, left on his motorcycle for Village Talwandi Bhai. The complainant was stated to be following him. It is alleged that at about 1:00 p.m., Jaskaran Singh @ Lalla son of Babu Singh intercepted Dharampreet Singh and inflicted a gandasi blow on his head as a result whereof, he fell from the motorcycle. Thereafter, Jaskaran Singh @ Lalla gave further gandasi blows on the body of Dharampreet Singh who died as a result of the said injuries.

Learned counsel submits that even as per the prosecution case and the conclusions drawn during investigation, Dharampreet Singh was involved in an illicit relationship with the wife of Jaskaran Singh @ Lalla. Upon coming to know of the said relationship, Jaskaran Singh @ Lalla committed the murder of Dharampreet Singh and thereafter consumed poison, leading to his own death.

It is contended that the only allegation attributed to the present petitioner is that he was a friend of Jaskaran Singh @ Lalla and had, on an earlier occasion, warned Dharampreet Singh against continuing his relationship with the wife of Jaskaran Singh @ Lalla. Learned counsel submits that the said warning was issued nearly 13 months prior to the occurrence and that no overt act has been attributed to the petitioner in the actual commission of the offence. It is thus argued that, even if the allegations are accepted at their face value, the same may at best attract the ingredients of an offence punishable under Section 351 of the Bharatiya Nyaya Sanhita, 2023 and do not disclose the petitioner's involvement in the offence punishable under Section 103 of the

Bharatiya Nyaya Sanhita, 2023.

Learned counsel further contends that the material witnesses examined before the Trial Court have not supported the prosecution version during their testimony. It is also submitted that the petitioner has been in custody since 17.09.2025 and in the absence of any overt act attributed to him in commission of the murder, his further detention is not warranted.

Learned State counsel, on the other hand, does not dispute the facts as noticed above, however, he contends that the petitioner is a habitual offender as he is involved in as many as 14 other cases under the Excise Act, Gambling Act and the Narcotic Drugs and Psychotropic Substances Act, 1985.

Having heard the learned counsel for the parties, without commenting any further on the merits of the case and taking into consideration the nature of allegations levelled against the petitioner, the period of custody undergone by him coupled with the fact that arguable issues would arise with respect to the participation of the petitioner in the present case as well as bearing in mind that the witnesses have not supported the case of the prosecution during their deposition before the Court, 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 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.

June 16, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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