



CRM-M-37138-2025 and
CRM-M-45090-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-37138-2025
Date of decision: 18.02.2026

VIJAY @ VIJAYPREET

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

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CRM-M-45090-2025

RACHPAL SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gautam Dutt, Sr. Advocate with
Mr. Sukhsharan Sra, Advocate
for the petitioner in CRM-M-37138-2025.

Mr. Abhiraj Singh Baweja, Advocate
for the petitioner in CRM-M-37138-2025.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. P.B.S. Goraya, Advocate and
Mr. S.P.S. Sandhu, Advocate for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

1. In the above mentioned petitions common question of law and facts are involved, so both the petitions are being disposed of by a common judgment. For brevity, facts are being taken from CRM-M-45090-2025 titled as "*Rachpal Singh Versus State of Punjab.*"

2. Petitioner(s) have approached by way of filing the present petition praying for grant of regular bail in case bearing FIR No.093 dated 26.09.2024



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Arms Act, 1959, registered at Police Station Kathu Nangal, District Amritsar Rural.

3. Succinctly the facts of the case is that the FIR was lodged on the statement of the complainant-Raghbir Singh. It was alleged that on 25.09.2024, at around 06:30 PM, his brother Bhagwant Singh was milking the cattles, in the meantime, Amanpreet Singh and Dilraj Singh along with 5 unknown persons duly armed with kirpans entered their house. His brother, namely, Bhagwant Singh started talking to them, then Amanpreet Singh took out the pistol and fired upon his brother with intention to kill. The gunshots hit on the chest and shoulder of his brother, thereafter Dilraj Singh exhorted Amanpreet Singh to fire him on his head, otherwise he will survive and thereafter he again fired on his head. On receiving the fire arm injuries, he was shifted to Escort Hospital where he was declared dead. The request was made to take legal action against the accused persons. On the registration of the FIR, investigation commenced. During investigation, the supplementary statement of the complainant was recorded wherein he named the petitioner(s) that on enquiry by himself, he has come to know that the petitioner(s) were along with Amanpreet Singh and Dilraj Singh. Thus petitioner(s) were arrayed as accused and 09.10.2024 and 11.10.2024, respectively. On completion of the investigation, the challan was presented and on framing of charges, trial commenced. The petitioner(s) approached the learned Additional Sessions Judge, Amritsar praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Additional Sessions Judge, Amritsar vide orders dated 08.04.2025 and 24.04.2025, respectively. Aggrieved by the same, petitioner(s) are before this Court by way of filing of present petitions for grant of bail.



4. Learned counsels for the petitioner(s) have vehemently contended that the petitioner(s) have been falsely implicated in the present case and they are not named in the FIR. They submit that admittedly the FIR has been lodged on the statement of complainant, who deposed in his supplementary statement that on the basis of enquiry conducted by him, he has found that the petitioner(s) were also accused in the present case. They further submit that the bald allegations made by the complainant cannot substitute the role of the Investigating Agencies, thus, the petitioner(s) have been implicated only on the basis of assumptions and presumptions. They further submit that the petitioner(s) are behind bars since 09.10.2024 and 11.10.2024, respectively. However, only charges have been framed.

5. Mr. P.B.S. Goraya, Advocate with Mr. S.P.S. Sandhu, Advocate has put in appearance on behalf of the complainant and filed memo of appearance in both cases, which are taken on record. He submits that the complainant at the time of occurrence could not identify the petitioner(s), however, later on, he identified them. He further submits that the complainant and the petitioner(s) belongs to the different villages.

6. Per contra, learned State counsel has opposed the submissions made by the counsels for the petitioner(s) and submits that the complicity of the petitioner(s) surfaced during investigation and they are involved in a heinous crime. She, on instructions, submits that only charges have been framed, however, no witness has been examined till date. She has placed on record the custody certificates of the petitioner(s).

7. Heard.

8. On hearing learned counsels for the parties and perusing the record, it is



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deciphered that the petitioner(s) were not named in the FIR. They have been arrayed as accused on the basis of the supplementary statement of the complainant wherein he has deposed on the basis of the enquiry conducted at his own lever, he has found the petitioner(s) to be having been involved in the present case. Custody certificate produced would show that both the petitioner(s) have completed incarceration of 01 year, 04 months and 05 days as on 17.02.2026 and they are not involved in any other case. The allegations regarding the murder of Bhagwant Singh are qua the co-accused.

9. 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.

10. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view, this Court is of the opinion that learned counsels for the petitioner(s) succeed in making out a case for grant of regular bail to the petitioner(s). Accordingly, the present petitions are allowed. Petitioner(s) are ordered to be released on bail on their 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.

18.02.2026
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(RAJESH BHARDWAJ)
JUDGE

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