



CRM-M-37897-2025

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

CRM-M-37897-2025

Date of Decision: 19.03.2026

Rahul @ Mirgi

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.76 dated 07.10.2022, registered under Sections 302, 148, 149, 201 IPC, at Police Station Begowal, District Kapurthala.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Paramjit Kaur. It was alleged that on 03.10.2022, at about 07:30 p.m., her brother Baldeep Singh was returning to his home after purchasing grocery items from nearby shop. He found that Jaspreet Singh @ Joker, Manpreet Singh, Mirgi (petitioner) were bursting crackers from a bullet motorcycle. Baldeep Singh went to the house of Jaspreet Singh @ Joker for complaining of his said act. Thereafter, Jograj Singh brother of Manpreet Singh came to the street and in the meantime, Satwinder Kaur mother of Jaspreet Singh and Surinder Kaur wife of Ranjit Singh also came present there. They raised *lalkara* to teach a lesson to Baldeep Singh from stopping their boys from creating crackling sounds with their motorcycles, upon which the said boys brought sticks, rods and sharp edged weapons from the house of Jaspreet Singh and started beating Baldeep



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Singh and caused multiple injuries to him. The entire incident was witnessed by Malkit Singh and Baljit Singh who, after arranging the vehicle, got Baldeep Singh admitted into Paramjit Hospital, Begowal from where he, after CT scan examination, was referred to the Maqsooda Hospital at Jalandhar for further treatment. Thereafter, he was taken to Sacred Heart Hospital Jalandhar where he underwent treatment but on 06.10.2022 after taking him to home, his condition deteriorated and thus, he was again was taken to Sacred Heart Hospital where the doctor declared him brought dead. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 27.11.2024. He approached the Court of learned Additional Sessions Judge, Kapurthala praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 24.12.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that though the petitioner was named in the FIR, however, the same is an afterthought. He submits that the occurrence in the present case took place on 03.10.2022, whereas, deceased Baldeep Singh succumbed to the injuries on 07.10.2022 and the present FIR was lodged on 07.10.2022. He submits that admittedly, deceased Baldeep Singh survived for four days and his statement was recorded by the police, when he was surviving. He submits that statement of the deceased is nothing but a dying declaration,



wherein, he named three accused i.e. Joker, Balkar and one other person. It is submitted that hereinafter, on the statement of the sister of the deceased, the petitioner was implicated in the present case, though she was not even present at the time of occurrence. He contends that the petitioner has no criminal antecedents and he is behind the bars from the date of his arrest. He submits that false implication of the petitioner is writ large. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner had played an active role in the commission of murder of Baldeep Singh. He submits that the petitioner alongwith the co-accused caused injuries to the deceased. As per postmortem report, the deceased suffered 11 injuries. On instructions, he submits that out of total 28 prosecution witnesses, no witness has been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case took place on 03.10.2022, whereas, the deceased died on 07.10.2022. Evidently, the statement of the deceased was recorded by the police and the same is also part of the challan. The petitioner was not named in the statement made by the deceased before his death to the police. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 03 month & 17 days as on 18.03.2026. It further shows that the petitioner has no criminal antecedents. Out of 28 prosecution witnesses, no witness has been



examined.

6. 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. 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.

7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.03.2026
sharmila

(RAJESH BHARDWAJ)
JUDGE

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