

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026:PHHC:042218



CRM-M-38154-2025 (O&M).
Date of decision: 18.03.2026.

SURJIT SINGH @ SURJEET SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. L.S. Sidhu, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mr. Yajur Sharma, Advocate,
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, (Section 439 Cr.P.C.) for grant of regular
bail to the petitioner in case bearing FIR No.193 dated 05.10.2024, under
Section(s) 103, 109, 125, 191(3) and 190 of the Bharatiya Nyaya Sanhita,
2023 (Sections 117(2) and 238 of the BNS, 2023 added later on) and under
Section(s) 25 and 27 of the Arms Act, 1959, registered at Police Station
Lopoke, District Amritsar.

Briefly stated, case of the prosecution is that Balwinder Singh complainant, resident of Kamaska got recorded his statement to the effect that his relative Jaspal Kaur intends to file nomination for Election as Sarpanch in the village on 4.10.2024. From opposite side, Daljit Kaur w/o Mirza Singh also intends to file nomination for the post of Sarpanch. On 4.10.2024, both sides went to Rajasansi Block where Surinder Singh was accompanying Jaspal Kaur and one Major Singh was accompanying Daljit Kaur. Major Singh and Surinder Singh entered into verbal altercation there at the time of filing nomination whereupon Major Singh stated that they will see Jaspal Kaur's side after going back to the village. At around 6.30 p.m., complainant's side i.e. Jaspal Kaur came back to the village. Nav w/o Sharanjit Singh raised lalkara Near Tarsem Singh tile factory for teaching lesson to complainant's side. Immediately, Major Singh having 12 bore rifle, Sukhbir Singh having 315 bore rifle, Surjit Singh having 12 bore rifle, Alam Singh having pistol, Jagroop Singh having hockey, Gursewak Singh having dang, Bohar Singh having datar, Baaj Singh having 12 bore rifle, Ranjit Singh having datar Jodhbir Singh having Dang, Sharanjit Singh having dang, Heera Singh having kirpan, Kala having 12 bore rifle, Balbir Singh having gandasi, Charan Singh having 12 bore rifle, Jaspal Singh having 12 bore rifle, Jugtaj Singh having kirpan, Jugraj Singh @ Chita having datar, Kabal Singh having dang, Pal Singh having dang, Kala having dang, Dalweij Singh having datar, Mirja Singh having bala, Nishan Singh having kirpan, Sukhdev Singh @ Pappu having bala and Teettu having Pump Action Rifle came at the spot. They encircled the complainant's side and started firing upon them. Major Singh

used 12 bore rifle and fired upon uncle of the complainant Prem Singh who suffered serious injuries on the chest and stomach, Ranjit Singh gave datar blow upon Shamsher Singh which hit on the left side of his head, Jodhbir Singh gave dang blow upon Shamsher Singh which hit on the right wrist, Jagroop Singh gave hockey blow upon Shamsher Singh which hit on the right bicep, Baaj Singh used 12 bore rifle and fired upon Shamsher Singh which hit on his left leg. Complainant's side raised noises whereupon Kuldeep Kaur w/o complainant also came at the spot and she tried to rescue the people from the complainant's side whereupon Major Singh raised lalkara that she should also be taught a lesson for helping Tarsem Singh side. Sukhdev Singh with the wooden balla in his hand attacked Kuldeep Kaur on the backside of the head. Kuldeep Kaur fell down on the earth and died at the spot. Complainant side again raised noises whereupon all these persons fled away from the spot after firing in the air. This incident is witnessed by Harjit Singh, Jaswinder Singh, Sukchain Singh and Tarsem Singh. Injured Prem Singh and Shamsher Singh were taken to the Guru Nanak Dev Hospital and Jaswinder Singh and Sukhchain Singh were asked to take care of the dead body of Kuldeep Kaur. Police was also informed and an FIR was accordingly registered under Sections 103, 109, 125, 191 (3), 190 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 25 and 27 of Arms Act, 1959."

Learned counsel appearing on behalf of the petitioner contends that the allegation levelled in the FIR against the petitioner are to the effect that the petitioner was armed with a rifle, however, during investigation, it has been found that the petitioner had not participated in the incident, in any manner whatsoever and that his rifle had already been deposited by him with

the Arms Dealer and he was not in possession of any weapon. He further contends that there is no injury attributed to the petitioner and that he is in custody since 28.10.2024. He submits that the prosecution has cited as many as 47 witnesses and the charges are yet to be framed, hence, conclusion of trial shall take long. He further contends that the petitioner has clean antecedents.

State counsel, on the other hand, does not dispute the facts noticed above. He, however, contends that there were two persons who died in the occurrence of which one was Major Singh, who died out of the gunshot injuries attributed to one Prem Singh while Kuldeep Kaur died as a result of a wooden balla blow which was allegedly inflicted by Sukhdev Singh.

Counsel for the complainant contends that there is a specific attribution against the petitioner and that two persons had died in the said incident.

I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition and have considered their respective contentions.

Without commenting anything on the merits of the present case and taking into consideration the admission made by the State that there is no injury attributed to the petitioner, that none of the deceased had been caused any injury by the petitioners coupled with the fact that there would be arguable issues with respect to the presence of the petitioner at the place of occurrence and also that the case is being projected as one of a free fight and in such a case what would be the culpable liability of the petitioner and further bearing in mind the period of custody of the petitioner, his clean antecedents as well as his advance age of more than 67 years and the stage of the trial, the present

petition is allowed. The petitioner is ordered to be released on bail on his 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.

March 18, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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