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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40560 of 2025

Nanak Singh @ Laddi ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	12.02.2026
2.	The date when the judgment is pronounced	27.02.2026
3.	The date when the judgment is uploaded on the website	27.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Ms. Kritima Sareen, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under

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Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in case arising out of FIR No.77 dated 08.07.2024 registered under Sections 103, 109, 132, 221, 324(4), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and Sections 25 and 27 of Arms Act, 1959 (For short “Act, 1959”) (Sections 303(2), 302, 317(2) and 238 of BNS and Section 30 of Act, 1959 were added later on) at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

2. It would be appropriate to reproduce the contents of the FIR which reads as under:-

“As per the contents of the FIR, on 07.07.2024 at about 7:15 p.m., SI Major Singh gave an information to Inspector Satpal Singh, SHO, Police Station Shri Hargobindpur that both the parties are quarrelling with each other in the Chowk of Shri Hargobindpur. SI Major Singh along with some other police officials had reached the spot and from the spot he gave the telephonic information to the SHO that on one side Angrej Singh son of Budha Singh along with his party men and on the other side Tarsem Singh son of Diwan Singh alongwith his party men were firing at one another. On getting the said information, Inspector Satpal Singh alongwith some other police officials left for the spot. On reaching the spot, he found that Shamsher Singh son of Niranjana Singh and Baljit Singh son of Budha Singh of the party of Angrej Singh and Nirmal Singh

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son of Diwan Singh and Balraj Singh son of Rawel Singh of the party of Tarsem Singh had been killed by fire arm injuries in the said occurrence. Later on, it was found that the correct name of the person who was initially mentioned as Shamsheer Singh was Dilsher Singh. In addition to the deaths of four persons in the said occurrence, a number of persons had received injuries in the occurrence. Six persons belonging to the group of Tarsem Singh namely Gurpreet Singh, Tarsem Singh, Kulwinder Singh, Navninder Singh, Balbir Singh and Nishan Singh had received the injuries. Two persons belonging to the group of Angrej Singh namely Angrej Singh and Jaswinder Singh had received injuries. All the said injured persons have been discharged from the hospital.”

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross version. Two members of both the sides had sustained fatal injuries and succumbed to the same. He was not named in the FIR and was nominated on the basis of secret information vide DDR No.19 entered on 18.9.2024 i.e. after a gap of about more than two months of the occurrence. The petitioner is in custody since 19.12.2024. He is not required for the purpose for further investigation. The trial will take considerable time to conclude. The allegations against him are that he had supplied cartridges of 12 bore gun to co-accused Jatinder Singh to reload his 12 bore rifle. Neither any specific overt act nor any

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injury has been attributed to him. His further incarceration would not serve any useful purpose. The similarly situated co-accused namely, Manpreet @ Mann has been extended benefit of bail. It is, therefore, argued that he deserves to be released on bail.

4. Per contra, learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioner who formed membership of an unlawful assembly with the co-accused and facilitated exchange of fire by the members of his group which resulted into death of two persons. The trial has commenced and there is nothing to show that there would be any undue delay in conclusion of the same. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, injuries were inflicted on the members of the opposite party. It is a case of version and cross version. A cross case has been registered against the members of the party of complainant of this case. An altercation between both the parties led to death of two victims from each side. The petitioner has been linked to the acts attributed with the aid of Section 190 of BNS on the allegations that by remaining present at the spot, he had handed over cartridges/ammunitions to his co-accused for loading their firearms for

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the purpose of firing at the opposite party. The veracity of these allegations has to be tested during the course of trial. No specific act of assaulting any member of the opposite party has been attributed to the petitioner. The petitioner is in custody since 19.12.2024. The trial will take considerable time to conclude. Keeping in view the individual role attributed to the petitioner, the absence of any specific evidence as to participation in the act of assaulting the members of other group, this Court is of the considered opinion that the petitioner cannot be imputed the same level of culpability as compared to the assailants who had actively participated and the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No