

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026.PHHC:039125



CRM-M-46780-2025 (O&M)
Date of decision: 13.03.2026.

INDERJEET SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. P.S. Ahluwalia, Sr. Advocate, with
Mr. Gaurav Jain, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mr. Chahat Goyal, Advocate,
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in case bearing FIR No.39 dated 24.03.2024, under Section(s) 307, 458, 365, 323, 506 and 34 of the Indian Penal Code, 1860 (Section 302 of the IPC added later on), registered at Police Station Sadar Dhuri, District Sangrur. The first petition had been withdrawn

on 04.12.2024.

2 Status report already filed on behalf of the respondent-State is taken on record.

3 Succinctly stated, the present FIR was recorded on the basis of the statement made by Sinder Pal Kaur (since deceased), wife of Balvir Singh. The complainant stated that she was engaged in manual labour under the NAREGA scheme, while her husband Balvir Singh, who was mentally unwell, used to undertake occasional labour work. She further stated that she had two sons and two daughters, of whom both daughters were married, while her sons Saran Singh and Sukhpal Singh @ Kalu @ Sukhi were unmarried. It was further stated that Saran Singh was employed with KRBL at Bhasaud, whereas the younger son Sukhpal Singh, aged about 18½ years, used to occasionally undertake labour work and frequently stayed at Behla. According to the complainant, on 23.03.2024, she returned home from her NAREGA work at about 5:00 p.m., where she, along with her husband and son Saran Singh, remained present in the house. Later in the evening, at around 9:00 p.m., her younger son Sukhpal Singh returned home from his labour work, which he had been performing at Sangrur along with a village boy, Laadi son of Gurmail Singh. It was alleged that at that time Sukhpal Singh was heating water on the chulha for bathing, while the complainant was preparing food on the gas stove and her husband and son Saran Singh were sitting in a room conversing with each other. It was further alleged that at about 10:00 p.m., while the main gate of the house was closed and bolted from inside, certain persons began abusing and calling out the name of her son Sukhpal Singh from outside and forcibly pushing the gate. During the course

of the commotion, the bolt of the gate allegedly opened, whereupon Amanpreet Singh @ Vicky son of Rajpal Singh and Harmanjot Singh @ Sangha son of Balwinder Singh, who were stated to be armed with iron rods, entered the house and began assaulting Sukhpal Singh. It was alleged that Amanpreet Singh @ Vicky struck Sukhpal Singh on the back of his head with an iron rod, causing him to sit down, whereafter Harmanjot Singh @ Sangha also struck him with an iron rod on his right elbow. When the complainant attempted to intervene, she was pushed to the ground by Amanpreet Singh @ Vicky. The complainant further alleged that the aforesaid accused persons dragged Sukhpal Singh out of the house. Upon her raising alarm, her husband Balvir Singh and son Saran Singh came outside, helped her up and all of them proceeded into the street, where they saw Inderjit Singh son of Chamkaur Singh, resident of Dohla, along with an unknown person, accompanying the aforesaid assailants. It was alleged that the accused persons made Sukhpal Singh sit on two motorcycles and forcibly took him away while extending threats to kill him. The complainant stated that she and her son Saran Singh thereafter followed the accused persons on a motorcycle and upon reaching near Dohla Phatak, Dhuri, near a wood-cutting unit and an eggs rehri, they saw the four accused persons assaulting Sukhpal Singh with iron rods. It was alleged that Amanpreet Singh @ Vicky struck Sukhpal Singh twice with an iron rod on his right wrist and on the right side of his chest, while Inderjit Singh struck him with an iron rod on his chest. It was further alleged that the unknown person punched Sukhpal Singh in his eyes, while Harmanjot Singh @ Sangha struck him with a fist blow on the nose. The complainant further alleged that Amanpreet Singh @ Vicky delivered another blow with an iron

rod on the back of Sukhpal Singh's head, causing him to lose consciousness and fall to the ground. It was further alleged that upon the complainant raising alarm, the accused persons fled from the spot on their motorcycles along with their weapons, leaving Sukhpal Singh lying injured. The complainant stated that they thereafter arranged a vehicle and shifted Sukhpal Singh to the Civil Hospital, Dhuri, where he was given first aid and subsequently referred to Rajindra Hospital, Patiala, and thereafter on 24.03.2024 he was referred to PGI, Chandigarh, where his treatment was ongoing at the time the statement was recorded. The complainant attributed the motive behind the occurrence to prior hostility, alleging that Amanpreet Singh @ Vicky, Inderjit Singh, and Harmanjot Singh @ Sangha had earlier been involving her son in wrongful activities and quarrels, which she had objected to. It was stated that Sukhpal Singh had stopped associating with them on her insistence, but the accused persons allegedly wanted him to resume his association with them. According to the complainant, it was on account of this dispute that the accused persons forcibly entered her house, abducted her son and inflicted repeated injuries upon him with iron rods with the intention to kill him, leaving him behind assuming him to be dead. On the basis of the aforesaid statement the present FIR came to be registered against Amanpreet Singh @ Vicky, Harmanjot Singh @ Sangha, Inderjit Singh and one unknown person for taking appropriate legal action.

4 Learned Senior counsel appearing on behalf of the petitioner contends that the incident in the present case has taken place in two stages. According to the prosecution version, the first stage of the incident is stated to have taken place inside the house of the complainant, where Amanpreet

Singh @ Amarpreet Singh @ Vicky along with Harmanjot Singh @ Sangha allegedly entered the premises and inflicted a blow with an iron rod on the head of the deceased Sukhpal Singh @ Kalu. The second stage of the occurrence is alleged to have taken place subsequently near Dohla Phatak, where the assault is stated to have continued. Learned Senior Counsel further submits that the prosecution relies primarily upon two eye-witnesses, namely Sinder Pal Kaur (since deceased), the mother of the deceased and Saran Singh, the brother of the deceased Sukhpal Singh @ Kalu. It is contended that the motive attributed for the commission of the offence is that Amanpreet Singh, Harmanjot Singh @ Sangha, Inderjit and certain other persons were allegedly pressuring the deceased to continue associating with them in their illegal activities. According to the prosecution version, the family members of the deceased had objected to such association, as a result of which Sukhpal Singh @ Kalu had stopped keeping company with the said persons, and that it was upon such refusal that the alleged assault took place. It is further argued that a careful reading of the FIR indicates that the role attributed to the present petitioner is limited to the alleged occurrence at Dohla Phatak, where Sinder Pal Kaur is stated to have seen the occurrence and has attributed to the petitioner, an injury on the chest of the deceased Sukhpal Singh @ Kalu with an iron rod. Learned Senior Counsel submits that no overt act has been attributed to the petitioner in relation to the first stage of the occurrence, i.e., the incident which allegedly took place inside the house of the complainant. It is also contended that a supplementary statement of Sinder Pal Kaur was recorded subsequently, wherein the petitioner was nominated as an accused but attributed an injury with the fist on the nose of the deceased. Learned

Senior Counsel submits that the role attributed to the petitioner in the earlier version now differs materially in the second version. Counsel contends that the allegations levelled against the petitioner are highly improbable for the following reasons: -

(i) It is submitted that although the prosecution seeks to attribute a motive based on the alleged companionship between the accused persons and the deceased, however, the said premise does not withstand scrutiny, in light of the prior hostility existing between the petitioner and the principal accused. It is contended that the petitioner, Inderjit Singh, had earlier got FIR No. 75 registered in the year 2022 against Amandeep Singh @ Amarpreet Singh @ Vicky for offences punishable under Sections 341 and 323 of the Indian Penal Code. This circumstance, according to the learned Senior Counsel, clearly demonstrates that the petitioner and the said accused were not acting in concert but were in fact at loggerheads with each other, much prior to the incident in question. It is further submitted that the aforesaid fact has not been disputed by the prosecution witness PW-2 Saran Singh during his deposition before the learned Trial Court. Learned Senior Counsel points out that the said witness has also specifically admitted that the complainant side had approached the petitioner for a compromise in the said earlier case, but the petitioner declined to enter into any settlement and continued to pursue the proceedings arising out of the FIR registered by him against Amandeep Singh @ Amarpreet

Singh @ Vicky. In view of the aforesaid admitted position, it is contended that the very foundation of the alleged common motive collapses since the petitioner had been actively prosecuting criminal proceedings against the principal accused. Learned Senior Counsel therefore argues that it would be wholly improbable for the petitioner to have entered into any conspiracy, collusion, or concert with Amandeep Singh @ Amarpreet Singh @ Vicky for causing injuries to Sukhpal Singh @ Kalu. To the contrary, it is submitted, that the deceased was himself allegedly accompanying Amandeep Singh @ Amarpreet Singh @ Vicky at the time when injuries had earlier been inflicted upon the petitioner in the previous occurrence, thereby further weakening the prosecution's theory of a shared motive or common intention between the petitioner and the principal accused in the present case.

(ii) Learned Senior Counsel further submits that Sinder Pal Kaur, who was one of the alleged eye-witnesses and the complainant in the present case, expired prior to recoding of her testimony before the learned Trial Court. As a result, Saran Singh, the brother of the deceased, remains the sole eye-witness relied upon by the prosecution in relation to the occurrence. It is contended that during his deposition before the Court, the said witness specifically admitted that Dohla Phatak is a busy public place, where guard rooms are located and security personnel remain present at all times. According to the witness, any incident

occurring at Dohla Phatak is ordinarily reported immediately to the Government Railway Police (GRP). Learned Senior Counsel submits that no such report was ever made to the GRP in relation to the alleged occurrence, which, according to him, casts a serious doubt on the prosecution version. Learned Senior Counsel further argues that the cross-examination of the said prosecution witness reveals circumstances which materially weakens the claim of their being an eye-witness to the alleged assault. It is pointed out that the testimony suggests that Saran Singh and the deceased Sinder Pal Kaur reached the spot at Dohla Phatak only after the alleged occurrence had already taken place. By the time they reached there, Sukhpal Singh was already lying unconscious, and the witness has admitted that they made inquiries from the guard present at the spot regarding the incident in which the deceased had been found lying in that condition. On the strength of these admissions, learned Senior Counsel contends that the version in FIR attributing a specific role to the petitioner, namely that he inflicted an iron rod blow on the chest of the deceased at Dohla Phatak, remains uncorroborated by any reliable ocular testimony. It is therefore argued that the allegations against the petitioner relating to the second stage of the incident at Dohla Phatak are not supported by credible evidence, particularly when the sole witness appears to have reached the spot after the alleged assault had already occurred.

(iii) Learned Senior Counsel further submits that the aforesaid

circumstances cumulatively render the prosecution version doubtful insofar as the alleged involvement of the petitioner is concerned. According to him, the manner in which the incident is stated to have occurred, particularly at the second place of occurrence, does not find credible support from the testimony of the prosecution witnesses, and the material brought on record does not satisfactorily establish the presence or participation of the petitioner in the alleged assault. It is further contended that the implication of the petitioner is the result of prior animosity between the parties, arising out of the earlier criminal proceedings initiated by the petitioner himself. Since the deceased Sukhpal Singh had been nominated as an accused in the FIR earlier registered at the instance of the petitioner, and that the complainant side had developed resentment on account of the said prosecution.

5 Learned State counsel does not dispute the facts as noticed above including the cross-examination of the eye witness and the extract thereof. He, however, submits that only one eye-witness out of 26 witnesses has been examined so far and therefore the trial is still at a very nascent stage. Learned State Counsel further contends that the petitioner has criminal antecedents and had earlier been involved in another FIR. It is however evident from a perusal of the report filed by the respondent State, that the petitioner has since then been acquitted in the aforesaid FIR in the year 2013.

6 Counsel for the complainant contends that the petitioner was specifically named and was alleged to have caused injury. They are, however,

not in a position to dispute that as per the original version in the FIR, the injury with an iron rod had been allegedly caused in the incident that took place at Dohla Phatak which was retracted and in the supplementary statement got recorded by Sinder Pal Kaur, the injury attributed to the petitioner (second incident at Dohla Phatak) was fist blows on the nose. The said injury, assuming it to be correct, was simple in nature.

7 Without expressing any opinion on the merits of the case and having regard to the nature of the allegations levelled against the petitioner, the specific role attributed to him, the arguable issues arising with respect to his involvement in the occurrence, the period of custody already undergone, as well as the stage at which the trial presently stands, 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.

8 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.

9 The observation made hereinabove shall be not 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 13, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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