



CRM-M-46675-2025 and CRM-M-34304-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46675-2025

Navraj Singh @ Sagar

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-34304-2025

Jaswinder Singh @ Fauji

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 20.01.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Som Nath Saini, Advocate for
Mr. Rajiv Kumar Saini, Advocate
for the petitioner(s) (in CRM-M-46675-2025)

Mr. Vipin Mahajan, Sr. Advocate with
Ms. Tejinder Kaur, Advocate
for the petitioner(s) (in CRM-M-34304-2025).

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, both the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.

2. CRM-M-46675-2025 arises out of **FIR No. 90 dated 27.07.2024**, registered at Police Station Dera Baba Nanak, District Gurdaspur, under Sections 103, 111, 238, 3(5), 61(2) of BNS and Section 25 of Arms Act and CRM-M-34304-2025 arises out of **FIR No. 90 dated 27.07.2024**, registered at Police

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Station Dera Baba Nanak, District Gurdaspur, under Sections 103, 111, 238, 3(5), of BNS and Section 25 of Arms Act.

3. The FIR in the present case was got registered by complainant-Kashmir Singh alleging therein that on the date of incident i.e. 27.07.2024, he noticed that two young men came on a motorcycle and one who was pillion rider pulled out a pistol from his Dub and fired straight shot on his brother Suwinder Singh alias Shinda, who had left his house on his motorcycle bearing registration No. PB-18-T-4534. Subsequent to the incident, the accused namely Gurpreet Singh and Chandan Kumar were identified during investigation, who were boarding on the motorcycle and fired shots upon the deceased-Suwinder Singh alias Shinda.

During investigation, prosecution came up with the version that the petitioner Jaswinder Singh @ Fauji (in CRM-M-34304-2025) and petitioner Navraj Singh @ Sgar (in CRM-M-46675-2025) were also involved in the incident as they were found doing recce about 4/5 days back to the date of incident, as they were noticed roaming around the house and tubewell area of the deceased person. Except of the said allegation that too based upon the supplementary statement of complainant-Kashmir Singh, recorded at belated stage i.e. on 01.08.2024, both the present petitioners were made accused in the present case without there being any other supporting or connecting evidence to prove their involvement in the incident.

4. Learned senior counsel for the petitioner argues that even to make the allegation prima facie believable, no CCTV footage etc. of the area has been recovered to establish presence of the petitioner at or around the area where the alleged recce was done by the petitioners. He further argues that moreover, the

petitioner – Jaswinder Singh's agricultural fields are adjoining to the land of



complainant party, therefore, there can be any hidden motive in the mind of the complainant to get him involved falsely in the case. Otherwise also, his presence, if any, at or near by the area can not be seen with doubt, because being neighbourer of the agricultural fields his presence is natural also. Thus, prays for grant of regular bail.

7. On the other hand, learned State counsel, while opposing the prayer for bail, submits that active participation of the petitioner(s) is found during investigation, therefore, final report has been submitted, however, at this stage, none of them can be considered as innocent as the process of evidence is still going on. On being asked by the Court, it is answered by learned State counsel that out of 20 prosecution witnesses, till date only 05 have been examined and rest are yet to be examined.

8. I have carefully considered the submissions addressed by the respective counsel.

9. Undoubtedly, the petitioner – Jaswinder Singh @ Fauji is inside jail since 01.08.2024 (01 year, 05 months and 10 days) and other accused namely Navraj Singh @ Sagar is inside jail since 04.08.2024 (01 year, 05 months and 10 days) and till date only 06 prosecution witnesses have been examined and other 20 are yet to be examined and conclusion of trial will take considerable time. The main assailants - Gurpreet Singh and Chandan Kumar are still inside the jail and it is also admitted case that nothing was recovered from possession of the petitioner(s), after they being arrested in the present case. Charges are yet to be proved and the onus is heavily upon the prosecution, therefore, this Court deems it appropriate to consider the plea of bail of the petitioner(s).

10. Accordingly, both the petitions are allowed. Petitioners namely-

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Navraj Singh @ Sagar (in CRM-M-46675-2025) and Jaswinder Singh @ Fauji (in CRM-M-34304-2025) are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. Both the petitions stand disposed of.

14. A photocopy of this order be placed on the file of other connected case.

20.01.2026
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*