



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

103

1)

**CRM-M-49727-2025
Decided on : 11.03.2026**

Kuldeep Singh alias Shiva

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

2)

CRM-M-59519-2025

Gagandeep Singh Guddu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

3)

CRM-M-62010-2025

Aliyakat Ali

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohinder Singh Kathuria, Advocate
for the petitioner(s) (in CRM-M-49727-2025).

Mr. Parminder Singh Sekhon, Sr. Advocate with
Mr. Rajdeep Singh Gill, Advocate
for the petitioner(s) (in CRM-M-59519-2025).

Mr. K.D.S. Sodhi, Advocate
for the petitioner(s) (in CRM-M-62010-2025).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of **one anticipatory bail petition**, i.e., **CRM-M-49727-2025**, and **two regular bail petitions**, i.e., **CRM-M-59519-2025** and **CRM-M-62010-2025**, respectively, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is

CRM-M-49727-2025.

2. **CRM-M-49727-2025**, has been filed by the petitioner – Kuldeep Singh alias Shiva, under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), for grant of **anticipatory bail** in case FIR No.172, dated 29.07.2025, under Sections 109 of BNS, 2023 and 25 & 27 of the Arms Act, 1959, registered at Police Station City Jagraon, Ludhiana.

3. In the aforesaid anticipatory bail petition, on 08.09.2025, this Court, passed the following order:-

“2. Learned counsel for the petitioner submits that the alleged incident, involving the firing of a shot at the glass door of the complainant’s shop, is stated to have occurred at around 2:00 p.m. on 28.07.2025. However, FIR was registered only on the following day, i.e., 29.07.2025. It is further submitted that there is no allegation of a second shot being fired, nor is there any report of injury to any individual.

It is further contended that the petitioner has been named solely on the basis of the disclosure statements of two co-accused persons, namely Gagandeep Singh @ Guddu and Liakat Ali @ Ali, who themselves were implicated only on 01.08.2025 i.e. four days after the incident through a supplementary statement recorded by the complainant.

Learned counsel also contends that petitioner has no connection whatsoever with the alleged occurrence and is willing to cooperate fully with the investigation. He, therefore, prays that petitioner be granted protection from arrest.

3. *Notice of motion*

4. *Mr. Neeraj Madaan, Sr. DAG, Punjab appears on behalf of respondent/State.*

5. *Learned State counsel submits that upon examination of CCTV footage from nearby locations, reviewed in reverse order from the time of the alleged incident, the Investigating Officer has identified the petitioner as the individual who, with a muffled face, arrived at the complainant’s shop and fired the shot. It is further submitted that the petitioner is involved in three other criminal cases, including offences of a heinous nature. Therefore, he is not entitled to the concession of bail as prayed for.*

6. *List on 25.09.2025.*

7. *In the meantime, status report/reply, if any be filed with an advance copy to the petitioner.*

8. *Till the next date of hearing, arrest of the petitioner shall remain*

stayed. However, the issue of the petitioner joining the investigation will be examined after considering reply/Status report of the respondent/State.”

4. **Petitions CRM-M-59519-2025 and CRM-M-62010-2025**, have been filed by the petitioners, namely; Gagandeep Singh Guddu and Aliyakat Ali, respectively, under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of **regular bail**, during the pendency of trial, who have been booked in a criminal case, i.e., FIR No. 172, dated 29.07.2025, under Sections 109, 61(2) of BNS, 2023 and 25/27 of the Arms Act, 1959, registered at Police Station City Jagraon, District Ludhiana.

5. As per the allegations in the FIR, the complainant – Parminder Singh alleged that on 28.07.2025 at about 2:00 P.M., he was informed by his nephew, Jaivir Ganda, about the alleged occurrence. When the complainant returned to the shop after having lunch, an application was moved to the police and on the next date, i.e., 29.07.2025, the FIR in the present case was registered against unknown persons.

6. Learned counsel for the petitioners submits that a false case has been planted against the present petitioners and that it is a case of no injury. The petitioners have been in custody since 01.08.2025, having been arrested on the basis of a supplementary statement dated 01.08.2025. It is further argued that the story set up by the prosecution that the petitioners were identified on the basis of CCTV footage is neither here nor there, as the CCTV footage pertains only to the nearby area of the place of occurrence and, therefore, on the mere basis of suspicion regarding their involvement in the alleged firing at the shop, the petitioners ought not to be detained in custody any longer.

It is further submitted that the investigation qua the petitioners

already stands completed and the recording of statements of the prosecution witnesses is likely to take considerable time. Thus, learned counsel prays for grant of the concession of regular bail to the petitioners.

7. On the other hand, learned State counsel has filed two separate custody certificates dated 11.03.2026 in CRM-M-59519-2025 and CRM-M-62010-2025 in Court today, which are taken on record. The office is directed to tag the same at the appropriate place.

Copies thereof have been handed over to learned counsel for the petitioners.

8. Learned State counsel submits that after recording the supplementary statement of the complainant, the petitioners were nominated as accused and subsequently arrested. Their disclosure statements were also recorded, wherein two more persons, namely Kuldeep Singh @ Shiva and Kaka Chauhan, were nominated as accused. It is further submitted that accused Kuldeep Singh @ Shiva, who has already filed an anticipatory bail petition, i.e., CRM-M-49727-2025, was nominated on the basis of the disclosure statements of the co-accused Gagandeep Singh @ Guddu and Aliyakat Ali. As per the FIR, two muffled persons had allegedly fired at the shop. In pursuance of the disclosure statements, recovery of weapons was also effected.

However, the factual position asserted by learned counsel for the petitioners and noticed here-above has not been disputed by learned State counsel.

9. I have heard learned counsel for the parties and perused the relevant material available on record.

10. In view of the facts and circumstances of the case, petitioner –

Kuldeep Singh @ Shiva (in CRM-M-49727-2025) is directed to join the investigation within two weeks from today, or as and when called by the Investigating Agency. In the event of his arrest, the petitioner shall be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

11. It is further directed that the petitioner shall hand over his passport to the Investigating Agency or to the Court concerned, if he possess the same. In case he does not possess any passport, he shall submit an affidavit to that effect.

It is also directed that before leaving the country at any time during the trial, the petitioner shall seek prior permission from the Court.

12. So far as, regular bail petitions, i.e., CRM-M-59519-2025 and CRM-M-62010-2025, are concerned. Keeping in view the overall facts and circumstances of the cases, it is noticed that the petitioners have been in custody since 01.08.2025. FIR in the present case was initially registered against unknown persons and the petitioners came to be nominated as accused on the basis of the supplementary statement of the complainant. The plea raised on behalf of the petitioners is that their alleged identification is based upon CCTV footage of the nearby area of the place of occurrence and that the case is one where no injury has been caused to any person. It is also not disputed that the investigation qua the petitioners stands completed and the trial of the case is likely to take some time to conclude. In view of the aforesaid facts and circumstances, but without commenting upon the merits of the case, this Court is of the considered opinion that the petitioners deserve

the concession of regular bail.

13. Consequently, prayer made in the petitions, i.e., **CRM-M-59519-2025** and **CRM-M-62010-2025** are **allowed**. Petitioners 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.

14. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

15. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

16. **Petitions stand disposed of accordingly.**

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

March 11, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*