



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

208

CRM-M-50054-2025
Date of Decision: 14.01.2026

**HARPREET SINGH ALIAS CHAKHNA ALIAS
CHAKNA**

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Yajur Sharma, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.287 dated 29.10.2023 under Sections 302 and 120-B of IPC, Sections 25 and 27 of the Arms Act, 1959 and Sections 21(c) and 29 of the NDPS Act, 1985 registered at Police Station Jandiala, District Amritsar Rural.

2. The case of the prosecution is that five persons had come on two motorcycles and shot Amritpal Singh, son of the complainant and one Kulwant Singh, and both of them had died. The petitioner was nominated in the present case on account of disclosure statement made by his co-accused Rahul, who disclosed that the petitioner was one of the assailants and was sitting as a pillion rider.

3. Learned counsel for the petitioner has filed fresh power of attorney on behalf of the petitioner, which is taken on record. He contends that the only basis of implicating the petitioner in the present case was the disclosure statement of the co-accused. However, PW-2- Shamsheer Singh, who is the complainant and father of the deceased Amritpal Singh has not supported the case of prosecution and deposed nothing against the petitioner as no role has been attributed by him to the petitioner. Moreover, apart from the disclosure statement, the petitioner was neither identified nor is there any other evidence to connect him with the alleged occurrence. Furthermore, the petitioner has already undergone the custody of 01 year, 11 months and 17 days and he is not involved in any other criminal case or activity. He further submits that the trial of the case might take long time to conclude as only two prosecution witnesses out of 32 cited witnesses have been examined till date.

4. Notice of motion.

5. Mr. P.S. Pandher, AAG, Punjab accepts notice and vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the offence in question. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner has already undergone a period of 01 year 11 months and 17 days.

6. I have heard the learned counsel for the parties and perused the record.

7. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last approximately two years and the trial against the petitioner might take long time

to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

JANUARY 14, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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