

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:006757



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CRM-M-50192-2025 (O&M)
Date of decision:19.01.2026

Gurpreet Singh @ Manga

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Arora, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking concession of regular bail in case arising out of FIR No.0233 dated 17.11.2024,, registered under Sections 103(1), 191(3), 190 of the BNS and Section 25(6) of the Arms Act (offences under Sections 61(2), 351(2)(3) and 249 of the BNS were added lateron), at Police Station Jhabhal, District Tarn Taran.

2. As per the allegations, on 17.11.2024, Partap Singh - father of the complainant Baljinder Singh had gone to the house of a co-villager Bhagwant Singh to attend *bhog* ceremony of his mother. After completion of the same, he along with his friend Budh Singh, had proceeded for his house on a motorbike, when he was intercepted by one unknown person, who came

riding on a motorbike and fired gun shot upon Partap Singh, resulting into his instantaneous death due to sustaining fire arm injuries. Budh Singh had also sustained injuries. While alleging that his father was Sarpanch of the village and due to election rivalry, Bikramjit Singh, Nishan Singh, Ranjit Singh, Desa Singh and Balram Singh had hatched a conspiracy in pursuance of which, his father had been murdered. The complainant prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, accused Desa Singh was arrested on 17.11.2024. Offences under Sections 61(2) and 351(2)(3) were added. The complainant got recorded his supplementary statement on 19.11.2024, on the basis of which, Dilbagh Singh @ Sahib Singh and Satnam Singh were nominated as additional accused. Dilbagh Singh was also arrested subsequently. The petitioner, who was in custody in connection with some other FIR bearing No.232, dated 28.12.2024, suffered disclosure statement admitting his involvement in this case and was nominated as additional accused. His presence was secured by issuance of production warrants. He was joined into investigation in this case on 17.01.2025. On interrogation, he suffered disclosure statement to the effect that on asking of accused Amritpal Singh @ Bath, he had facilitated stay of co-accused Lovepreet Singh @ NP, Shamsher Singh @ Shera and Jodha, when they had come to commit murder of the victim. They had conducted recce for committing murder of the victim and had left his residence thereafter. Other accused were also arrested subsequently. Subsequently, accused Arshdeep Singh also suffered disclosure statement to the same effect. Investigation

now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been nominated on the basis of disclosure statement of co-accused in some other case, which cannot be considered to be admissible in evidence. The allegations against the petitioner are that he had given shelter to the co-accused who had come for committing murder of the victim. He is in custody since 30.01.2025. No recovery has been effected from him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. His continued detention would not serve any useful purpose. Ever since the date of dismissal of his previous petition, about 07 months have expired. Each day spent in custody provides a new cause of action for filing fresh bail application under certain circumstances. It is, therefore, urged that the petitioner deserves to be extended the benefit of bail.

5 Short reply by way of affidavit has been filed. In compliance with the order dated 14.11.2025, the Superintendent of Police, Tarn Taran appeared in person, tendered an unconditional apology and submitted an assurance that he shall remain cautious in future. Status report and custody certificate have been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail. It is also submitted that the petitioner has criminal antecedents and there are chances of his absconding and committing similar offences, if extended benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the petitioner.

7. The petitioner is alleged to have provided shelter to the co-accused, who had stayed in the same for the purpose of committing murder of the victim. He is in custody since 30.01.2025.

8. So far as the question of maintainability of the petition being second petition for bail is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed. The previous petition as filed by the petitioner was dismissed as withdrawn. Each day spent by the petitioner in custody furnishes a new cause of action for seeking bail. On analyzing the peculiar facts and circumstances of the present case in the light of the aforementioned principles of law, it transpires that the trial is not likely to be concluded in near future as only 01 prosecution witness has been examined; the continued detention of the petitioner is not likely to serve any fruitful purpose; there is nothing on record to show that if released on bail, the petitioner will not participate in the trial or will abscond.

9. In view of the above discussion, this Court is of the considered opinion that a case is made out for grant of bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the

extent of two sureties in the like amount each, to the satisfaction of the learned trial Court, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

10. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

11. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

19.01.2026

harjeet

**(MANISHA BATRA)
JUDGE**

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