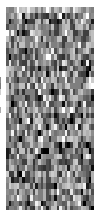


2026-PHHC-032812



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51693 of 2025

Harwant Singh ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	12.02.2026
2.	The date when the judgment is pronounced	27.02.2026
3.	The date when the judgment is uploaded on the website	27.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

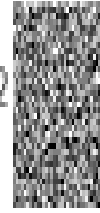
Present: Mr. Vipin Mahajan, Senior Advocate with
Mr. Utkrant Mahajan, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short
“BNSS”) seeking regular bail in DDR No.17 dated 10.07.2024 registered

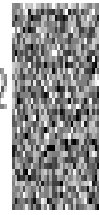
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under Sections 103, 109, 132, 221, 324(4), 191(3), 190, 303(2), 317(2), 238 and 328 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and Sections 25, 27 and 30 of Arms Act, 1959 (For short “Act, 1959”) which is cross version of FIR No.77 dated 08.07.2024 registered under Sections 103, 109, 302, 132, 221, 324(4), 191(3), 190, 303(2), 317(2) and 238 of BNS and Sections 25, 27 and 30 of Act, 1959 at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

2. As per the allegations, on 07.07.2024, on receipt of an information by the police to the effect that an altercation had taken place between the members of two groups, one of which was headed by **Angrej Singh** and another by **Tarsem Singh**, a police party had rushed at Light Chowk, Shri Hargobindpur and it was found that there was exchange of fire between the members of both the groups and two persons namely, Shamsheer Singh and Baljit Singh who were members of group of Angrej Singh, had died whereas Nirmal Singh and Balraj Singh, members of group of Tarsem Singh, had sustained firearm injuries and were rushed to the hospital. After registration of FIR, investigation proceedings were initiated. The victims Nirmal Singh and Balraj Singh had also died. Postmortem examination of dead bodies of all the victims had conducted. On 10.07.2024, Tarsem Singh (**member of group No.2**) recorded his statement saying that on 07.07.2024, his nephew Varinder Singh and his wife Jasbir Kaur were followed by the members of group of Angrej Singh who by forming membership of an unlawful assembly were intending to kill them. On receipt of that information, Tarsem Singh along with his family members and other

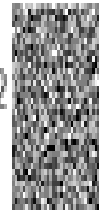
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associates, had rushed towards the informed place, where the accused Angrej Singh along with the co-accused, were found present. Accused Angrej Singh had made an exhortation and then shots were fired at them thereby causing firearm injuries to his brother Nirmal, Balraj Singh and nephew Gurpreet Singh. Others had also sustained injuries. On the basis of his disclosure, 22 persons including the petitioner Harwant Singh were nominated as accused vide DDR No.17. Subsequently, on the statement of Angrej Singh, cross DDR No.20 was registered. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The prosecution version as to the role attributed to him is self contradictory thereby making the allegations highly improbable and unnatural. In the DDR No.17, he is alleged to have given a firearm injury on the left hand of Gurpreet Singh but as per the report of the SIT, he was armed with a dang and had given a blow with the same on the person of Nirmal Singh. These contradictory versions belie the case of the prosecution qua him. It is a case of version and cross version. At the most, it can be stated to be a case of free fight. The role attributed to the petitioner does not stand even prima facie established on the allegations as levelled. He is in custody since long. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody any more. It is, therefore, argued that he deserves to be released on bail.

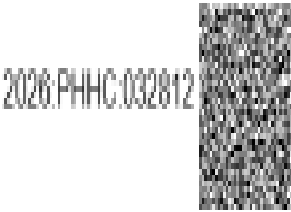
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Punjab that there are serious allegations against the petitioner who formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, had assaulted the members of other party. The location of his phone was also found to be of the area of place of occurrence. He is involved in one more case and hence, his antecedents are not clean. There are chances of his intimidating the witnesses or absconding, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, to have assaulted the members of the opposite party. The role as attributed to him in the DDR No.17 is that he fired a shot with a pistol that had hit the left hand of Gurpreet Singh. However, as per the SIT report, he was found armed with a dang and had attacked with the same upon Nirmal Singh. It is, therefore, apparent that the report of SIT is not in consonance with the allegations in the DDR No.17. It is only on thorough assessment of the evidence to be produced during trial that the exact role alleged to have been played by the petitioner in the commission of subject offences and the consequences thereof can be ascertained and not at this stage. In case of group violence, individual roles are to be seen. In the absence of any specific evidence/allegation against the petitioner and on account of his presence at the spot, same level of culpability cannot be imputed to the petitioner. Keeping in view the above discussed facts and



circumstances, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.02.2026
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(MANISHA BATRA)
JUDGE

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