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

**CRM-M No.53370 of 2025
Date of Decision: 16.02.2026**

Jaswinder Singh**..... Petitioner**

Versus

State of Punjab**..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Ms. Poonam Singh Thakur, Advocate
for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.12, dated 27.02.2024, under Sections 302, 307, 34 of IPC and Sections 25 & 27 of Arms Act (challan filed under Sections 302, 307, 34, 120-B IPC and Section 25 Arms Act), registered at Police Station Punjab Agriculture University (PAU), District Ludhiana, Punjab.

2. Succinctly, the facts of the case are that the police party, while on 27.02.2024, received a secret information to the effect that at about 01:00 P.M., when Suraj Parkash @ Babbu and Harpreet Singh, after boarding on their motorcycle, was going from Hambra side towards the side of Ludhiana, and when they reached opposite side of liquor vend situated on Panj Peer Road Terminal, then they were encircled by Vicky, Kala, Bawan, David, Hardeep Singh @ Ghuggu and some unidentified persons. They started



firing in the presence of driver of motorcycle, namely, Harpreet Singh and the bullet hit in the head of Suraj Parkash @ Babbu. On receiving the bullet injury, Suraj Parkash @ Babbu died on the spot, whereas Harpreet Singh sustained bullet injuries. The motive behind the incident was that in May, 2023, a murder was committed by Rohit Malhotra @ Ishu and Gopal Mahajan and in the same, Suraj Parkash @ Babbu was the eye-witness. On account of the same, he has been eliminated. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered and the investigation commenced. During the investigation, supplementary statement of Harpreet Singh was recorded on 03.03.2024 and on the basis of the same, complicity of the petitioner, namely, Jaswinder Singh also surfaced and thus, he was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 05.03.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Ludhiana dismissed the bail application filed by the petitioner vide order dated 21.09.2024. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsels for the petitioner has contended that the petitioner has been falsely implicated in the present case. She has submitted that neither the petitioner was named in the FIR, nor any overt act has been attributed to him, however, one week after the occurrence, the statement of Harpreet Singh was recorded and in a due deliberated manner, the petitioner



was roped in the present case. She has submitted that even otherwise, the case put up by the prosecution against the petitioner is to the effect that the weapon of offence was delivered to be petitioner after the occurrence, thus, it is apparent that the petitioner has not participated in the commission of offence and the allegations against him are after the commission of the offence. To buttress her arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. She has submitted that the petitioner is behind bars from last about 02 years, however there is no material progress in the trial. She has thus submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners. He has submitted that complicity of the petitioner has been duly surfaced during the investigation. He has submitted that it is on the statement of injured-witness, namely, Harpreet Singh, complicity of the petitioner has been found in the present case. He has submitted that the weapon of offence was delivered to the petitioner by the assailants after the occurrence and thereafter, he delivered the same to sister of co-accused, namely, David. He, on instructions has submitted that out of total 22 prosecution witnesses, 05 witnesses have been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrayed as an accused on the statement of injured-witness, namely, Harpreet Singh recorded on 03.03.2024,



however, the occurrence in the present case had taken place on 27.02.2024. The petitioner is behind bars since 05.03.2024. The allegations against the petitioner are regarding the handing over of weapon of offence of the co-accused after the commission of the offence. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year, 11 months and 08 days as on 15.02.2026. It further reflects that the petitioner is not involved in any other case. Out of total 22 prosecution witnesses, 05 witnesses have been examined so far.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

16.02.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No