



CRM-M-53065-2025 and other connected cases

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

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CRM-M-53065-2025

Gurbhinder Singh

.....Petitioner

Versus

State of Punjab
230-2

...Respondent

CRM-M-53068-2025

Kulwinder Singh @ Khindi @ Bhalwan

.....Petitioner

Versus

State of Punjab
230-3

...Respondent

CRM-M-54593-2025

Parminder Singh

.....Petitioner

Versus

State of Punjab
230-4

...Respondent

CRM-M-41341-2025

Sameer Khan

.....Petitioner

Versus

State of Punjab

...Respondent

Decided on: 21.01.2026**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. P.K.S. Phoolka, Advocate for the petitioners
(in all the cases).

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J.(Oral)

1. By way of this common order, the aforementioned four petitions are being disposed of together, as they arise out of one common FIR.

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2. Present petitions have been filed under Section 483 of the BNSS seeking grant of regular bail in FIR No. 96 dated 27.09.2024, registered under Sections 103, 3(5), and 61(2) of the BNS, 2023, at Police Station Sangat, District Bathinda.

3. Incident in question took place on 27.09.2024. The aforesaid FIR was registered on the complaint of Harpreet Kaur, wherein it was alleged that her husband-Akashdeep Singh @ Khushi, sustained injuries at the hands of the accused persons, as a result of which he died on the spot. The version of the FIR lodged by the complainant, Harpreet Kaur, aged 24 years, reads as under:

“I am a resident of the above said address and doing the household work. My parents are from village Fullo Mithi. I had a love marriage about 04 years ago with Akashdeep Singh alias Khushi son of Paramjit Singh resident of Sangat Kalan. I have a son Ekam Singh who is about 08 months old. My family was not happy with our love marriage due to which my brother Gurbinder Singh son of Darshan Singh who was angry with me and my husband due to our love marriage. My brother Gurbinder Singh is friendship with parental village Phulo Mithi with Kulwinder Singh alias Kindi Bhalwan son of Tarsem Singh and Parminder Singh son of Jagdev Singh. These three people often stay together. My husband Akashdeep Singh alias Khushi had an altercation with Kulwinder Singh alias Kindi Bhalwan of my parental village Fullo Mithi about 01 month ago. After this quarrel Kulwinder Singh alias Kindi Bhalwan used to hold a grudge with my husband Akashdeep Singh alias Khushi. Today, on 27.09.2024, I and my husband Akashdeep Singh alias Khushi along with my son Ekam Singh were on our motorcycle marka Hero Honda Splendor color red number PB-03-AH-2396 and were going from our house Sangat Kalan to my husband Akashdeep Singh's aunt (Mami) Baljit Kaur wife Madanjit Singh at village Bambiha. At about 4.30 pm when we reached Gurdwara Sahib near the link road to village Kotguru and Ghudda village, then two motorcycles came in front of us, out of which Kulwinder Singh alias Kindi

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Bhalwan and Parminder Singh of my village Fullo Mithi were on one motorcycle and my brother Gurbhinder Singh and an unknown person were on the other motorcycle. They all of them got down from their two motorcycles and when we passed by them, Kulwinder Singh alias Kindi Bhalwan grabbed my husband by the arm and hit him, so we fell down on the dirt road along with our motorcycle. Then Kulwinder Singh alias Kindi Bhalwan raised Lalkara and said that today we will teach him a lesson in fighting with me. In the meantime, due to fallen down he gave blow dasti sword on the head of my husband which hit on the middle of the head of my husband. Then Parminder Singh also gave a blow of handle of hand-pump on the face of my husband, which hit on the left side of his face. And my brother Gurbhinder Singh gave iron kappa blow upon my husband he was holding in his hand, which hit his left arm near the elbow. The fourth unknown young person also attacked with an iron rod upon my husband who was holding in his hand. Then I raised raula of "Marta Marta", then seeing the gathering of people from the surrounding area, all the above said accused persons ran away from the spot on their motorcycles with their respective weapons. My husband had died on the spot due to severe head injuries. We arranged an ambulance and sent his dead body to the Civil Hospital, Bathinda. You were coming to the police station along with my brother-in-law (Nandoi) Gurdeep Singh, son of Binder Singh, resident of Amarpura Basti, Street No. 04, Bathinda, to give information. You met with me near Water Tank Link Rund Kotgura, statement given heard correct. Legal action may kindly be taken. Sd/- Harpreet Kaur, further attested by sd/- Gurdeep Singh son of Binder Singh, resident of Amarpura Basti, Gali No. 04, Bathinda, attested by Sd/- Karamjit Singh ASI, police station Sangat, dated 27.09.2024."

Thus, as per the FIR, accused persons named therein are Gurbhinder Singh (real brother of the complainant); Kulwinder Singh @ Khindi @ Bhalwan; Parminder Singh; and one other unidentified person.

4. FIR further states that Kulwinder Singh @ Khindi @ Bhalwan caught hold of deceased-Akashdeep Singh, by his arms and assaulted him, as a result of which the complainant and the deceased fell

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to the ground along with the motorcycle. Thereafter, Kulwinder Singh @ Khindi @ Bhalwan raised a lalkara to teach a lesson and inflicted a dasti sword blow on the middle of the head of Akashdeep Singh. Parminder Singh inflicted a blow with the handle of a hand pump on the left side of the face of Akashdeep Singh. Gurbhinder Singh inflicted a kappa blow on the left arm of Akashdeep Singh near the elbow. The fourth unidentified person inflicted a blow with an iron rod on Akashdeep Singh

5. Learned counsel for the petitioner has appended a copy of the statement of the witness, PW1 Harpreet Kaur, who, while appearing in the witness box, has identified only her brother, Gurbhinder Singh, and, with respect to the other accused, has specifically stated that “ ***I do not identify the remaining three accused as produced in Court through video conferencing. None of these accused committed murder of my husband. Police took my signature on blank paper***”.

Another witness, Gurdeep Singh, appeared as PW3 and is related as the brother-in-law (Jija) of deceased-Akashdeep Singh. It is, however, not clear whether he himself was an eyewitness, as per the FIR he was not present at the spot. Further, the defence counsel raised an objection to the examination-in-chief of the said witness on the ground that his deposition is based on hearsay evidence.

None of the other witnesses, namely Gurdeep Singh (PW3), Rupinder Kaur (PW4), and Arshdeep Singh (PW5), are alleged to be eyewitnesses of the incident.



Thus, Mr. P.K.S. Phoolka, Advocate, argues that once a witness has turned hostile and the eyewitnesses are unable to identify the petitioners—Kulwinder Singh @ Khindi @ Bhalwan and Parminder Singh—they need not be detained in custody any longer, particularly as they have already been confined in jail for over one year and three months.

6. Learned counsel for the petitioner submits that, as far as petitioner Sameer Khan is concerned, his involvement in the case is based solely on the supplementary statement of Gurdeep Singh (PW3), recorded on 29.09.2024, i.e., two days after the incident, wherein the allegation pertained only to conducting *reconnaissance* (reki) of the location of deceased-Akashdeep Singh.

Admittedly, petitioner-Sameer Khan was not directly involved in the incident resulting in the murder of Akashdeep Singh or in causing the injuries to the deceased. Petitioner Sameer Khan has been in custody for the past one year and three months.

Accordingly, counsel for the petitioners prays for the grant of the petition.

7. From the status report, learned State counsel has pointed out certain facts which have already been noticed hereinabove by the Court.

Learned State counsel further submits that, perhaps due to the production of the accused persons through video conferencing, witness Harpreet Kaur was unable to clearly identify the said accused; therefore, no relief can be extended to the petitioners on account of the lack of clear identification.



Learned State counsel further submits that there have been certain recoveries from all the accused; hence, solely on the basis of the witness not supporting the prosecution, petitioners do not become entitled to bail.

Learned State counsel further submits that he will request the concerned District Attorney to move an application once again for the production of the accused, Kulwinder Singh @ Khindi @ Bhalwan and Parminder Singh, so that they may be personally produced in the witness box before the Court and the issue of identification can be clarified.

8. May do so.
9. I have heard the learned counsel for the parties and have gone through the paper-books as well as the status report appended thereto.
10. Undoubtedly, the deceased sustained several injuries, which are recorded in the post-mortem report. For reference, the same reads as follows:

Examination of External injuries			
Sr. No.	Injuries	Marked	Injury Number
1.	Incised wound 15 cm x 5 cm present over the left forearm over the dorsal medial surface of proximal forearm, underlying muscles found cut, fracture of uina was present.	Yes	1
2.	Incised wound 10 x 10 cm was present over the left elbow joint Just proximal to Injury No 1, underlying muscles was found cut and bones (distal humorus) was found cut	Yes	2
3.	Incised wound 15 x 5 cm present on the left side of mandible extending upto the just below left ear, underlying muscles were found cut, mandible were found cut.	Yes	5



4.	Two incised wounds 5 x 1 cm each were present on the left cheek and going upto the wound of skull. Underlying bones of maxilla found cut	Yes	7
5.	Incised wound 4 x 2 cm was present on the left ear, cutting the car cartilage	Yes	4
6.	Incised wound 10 x 3 cm present just above injury No 5 meeting the wound of injury No 5 near left ear, underlying muscles found cut. bones found cut	Yes	6
7.	Large oval incised wound present over the left side of temporal panetal area of scalp, underlying soft tissue found cut, brain matter was found coming out of wound with multiple pieces of skull bone	Yes	8
8.	Incised wound 4 x 1 cm present over the middle of scalp in occipital area.	Yes	9
9.	Incised wound 10 x 10 cm was present over the right hand in fourth web space, underlying muscles and tendons was found cut and 5th finger of hand was held with skin tag only	Yes	3

11. However, regarding the identification of Gurbhinder Singh, witness Harpreet Kaur (PW2) has clearly deposed that she identifies him, who is none other than the real brother of the complainant. The reason for the murder of Akashdeep Singh is also evident from the FIR, which indicates that Gurbhinder Singh was dissatisfied with the love marriage solemnized by the complainant with Akashdeep Singh @ Khushi (deceased). Accordingly, petition i.e. **CRM-M-53065-2025** **qua petitioner Gurbhinder Singh is outrightly hereby dismissed.**

 However, considering the fact that the other two accused, namely **Kulwinder Singh @ Khindi @ Bhalwan and Parminder Singh**, have not been clearly identified by the witness as of now and Sameer Khan is alleged to be involved only in conducting *reki* in relation

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to the location of Akashdeep Singh, which is yet to be established by the prosecution through admissible evidence.

Accordingly, petitions i.e. CRM-M-53068-205, CRM-M-54593-2025 and CRM-M-41341-2025 qua petitioners **Kulwinder Singh @ Khindi @ Bhalwan, Parminder Singh, and Sameer Khan** are allowed. Petitioners, namely Kulwinder Singh @ Khindi @ Bhalwan, Parminder Singh, and Sameer Khan, are ordered to be released on regular bail in the present case, subject to furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, provided they are not required in connection with any other case.

12. Any discussion recorded herein shall not be construed as an expression of opinion on the facts of the case. The learned trial Court is expected to decide the matter independently, based on the evidence available on record, and expeditiously in accordance with law.

13. In the above terms, the present petitions stand disposed of.

14. A photocopy of this order be placed on the file of another connected case.

(SANJAY VASHISTH)
JUDGE

January 21, 2026
Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**