

2026:PHHC:043326



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

109

CRM-M-53236-2025 (O&M)
Date of decision : 19.03.2026

Dev

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Ramandeep Kaur Brar, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in case bearing DDR No. 4 dated 06.06.2025, under Sections 109, 191(3) and 190 of BNS and Section 25 and 27 of the Arms Act, 1959 having been registered in FIR No.191, dated 05.06.2025, under Sections 103, 191(3), 190, 61(2) of the BNS and Sections 25, 27 of the Arms Act, 1959, registered at Police Station City Ferozepur, District Ferozepur.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of the statement recorded by the complainant Pawandeep Kaur, alleging therein that accused Amrik Singh @ Amrika by hatching a conspiracy with his father Joginder Singh @ Lallu, brother Gurdit Singh, Angrej Singh and

2026:PHHC:043326



Ashish Chopra had got her husband murdered through Shivam Sehgal @ Shanga and Yuvraj Singh @ Yuvi. After registration of the FIR, investigation proceedings were initiated. Postmortem examination of the dead body was conducted. Accused Shivam Sehgal and Simranpreet were arrested on 16.06.2025. Recoveries of illegal arms and ammunition were effected from them including 105.78 grams of heroin.

3. As per the further allegations, on 06.06.2025, the aforementioned DDR No.4 was registered on the statement of Arshdeep Singh, owner of the tattoo shop, who recorded his statement to the effect that the victim Ashu Monga along with his companion Amarjit Singh had come to his shop on the fateful day, when three persons including accused Yuvraj Singh @ Yuvi were sitting in the same. An altercation had taken place between them and the victim as well as Amarjit Singh had taken out pistols. He had rushed outside the shop and had heard noises of fire shots. He further disclosed about reaching at the tattoo shop and that he came to know that it was a case of gang war and fire shots were exchanged between the members of the party of victim Ashu Monga, who were Gurjinder Singh, Noda @ Sabha @ Sarabjit, Lakha, Amarjit Singh and Dev Sharma i.e. the petitioner and the members of the party of Yuvraj Singh @ Yuvi and Shivam @ Shivam Sehgal.

4. Accused Amarjit Singh was arrested on 10.07.2025. He suffered disclosure statement admitting his involvement in the crime. On his disclosure, the petitioner was nominated as accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Ferozepur but the

2026:PHHC:043326



same was dismissed, vide order dated 12.08.2025.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this cross case. No specific role or overt act has been attributed to him. The complainant of the cross case, namely Arshdeep Singh, has not named him. He has been nominated in this case on the basis of the disclosure statement of the above named co-accused Amarjit Singh, which cannot be considered to be admissible in evidence. Even otherwise, the only role attributed to the petitioner is that he had come along with co-accused and at the time of occurrence, he was sitting in a car. He has clean antecedents. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. No useful purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

6. Reply has been filed by the respondent-State. Learned State counsel has argued that the allegations against the petitioner are quite serious in nature. He along with Amarjit Singh, Mahinder and Gurjinder @ Guri had reached at the spot of occurrence. He was present at the spot when the accomplices were firing shots upon the persons, who are accused in FIR case. His custodial interrogation is required for conducting proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

7. This Court has considered the submissions made by both the sides.

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common

2026:PHHC:043326



object thereof, is further alleged to have come to the tattoo shop of Arshdeep Singh, complainant in cross/DDR case, on the fateful day along with co-accused Amarjit Singh and victim Ashu Monga where certain persons including accused Yuvraj Singh @ Yuvi were already present. An altercation allegedly took place between the parties and both sides are stated to have taken out firearms, whereafter shots were fired. The prosecution case further is that the said incident was part of a gang rivalry between the members of the party of Ashu Monga and that of Yuvraj Singh @ Yuvi and Shivam Sehgal. However, a perusal of the record reveals that no overt act or specific role has been attributed to him. He is alleged to be sitting in a car. Even no specific recovery is alleged to be effected from him, for which, his custodial interrogation is must. It is well settled that in cases of group violence, individual roles must be specifically established and mere presence at the scene of the crime cannot impute the same level of culpability to all accused. It is also significant to note that the petitioner has clean antecedents. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that the custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

2026:PHHC:043326



8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

19.03.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No