



108 (02 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-54077-2025

Lovejeet Sharma @ LabhiPetitioner

versus

State of Punjab Respondent

2. CRM-M-70490-2025

Vinod Kumar @ SkillPetitioner

versus

State of Punjab Respondent

Date of decision : 05.05.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Akhil Godara, Advocate for the petitioner(s).

Mr. K.D. Sachdeva, D.A.G., Punjab and
Mr. Raj Karan Singh, A.A.G., Punjab.

Mr. Jatinder Kumar Kansal, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of
abovesaid two petitions as they have arisen out of the same DDR.

2. Petitioners have approached this Court by way of present
petitions praying for granting them regular bail in DDR No.31 dated
05.02.2025 under Sections 103, 190, 191(3) of BNS and Section 27 of Arms
Act, registered at Police Station Phul, which is a cross version of FIR No.11
dated 05.02.2025, under Sections 109, 125, 351(2) of BNS read with
Sections 25, 27 and 54/59 of Arms Act, registered at Police Station Phool,



District Bathinda.

3. Succinctly, facts of the case are that the DDR has been registered on the statement of complainant, namely, Ravpreet Kaur wife of Overseer Singh. It was alleged that on 05.02.2025 at about 02:00 A.M., complainant's husband Overseer Singh alias Satnam Singh alias Satti alongwith his two friends went to Gumti Road in front of the house of Gurtej Chand, where they indulged into heated arguments with Gurtej Chand and others and both the parties fired gun shots at each other. It was alleged that Gurtej Chand and his companions, namely, Lavi Sharma (petitioner in CRM-M-54077-2025), Jaskaran Singh alias Jassa and Gopi with two unidentified persons fired gunshots upon her husband. It was alleged that one such shot hit on his right arm and another shot hit upon his left shoulder. It was alleged that he was taken to the Civil Hospital, Bathinda for treatment, however, he succumbed to his injuries. It was alleged that the motive behind the occurrence was that a fight took place between Overseer Singh alias Satnam Singh alias Satti and Gurtej Chand about 1.5 years back and due to the said fight, Gurtej Chand used to keep grudge against complainant's husband. On the basis of above said statement, a cross version bearing GD No.31 dated 05.02.2025 was entered in the FIR No.11 dated 05.02.2025. Thus, request was made to take legal action against the accused. On registration of DDR, investigation commenced. During investigation, complicity of petitioner-Vinod Kumar @ Skill (in CRM-M-70490-2025) surfaced on the basis of supplementary statement of the complainant and he was also nominated as an accused in the present case. Resultantly, petitioners were arrested on 15.02.2025. Petitioners approached the Court of learned Additional

Sessions Judge, Bathinda, praying for grant of regular bail. However, after



hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioners-Lovejeet Sharma @ Labhi and Vinod Kumar @ Skill vide orders dated 05.06.2025 and 19.09.2025, respectively. Being aggrieved, petitioners are before this Court praying for grant of regular bail.

4. Learned Senior counsel for petitioner-Lovejeet Sharma @ Labhi has submitted that the petitioner has been falsely implicated in the present DDR. It is submitted the complainant is neither an eye-witness nor stamped witness and just made a hearsay statement. He submits that it was deceased, Overseer Singh, who along with his accomplices, came to house of Gurtej Chand with deadly weapons and fired shots. He submits that neither the petitioner was present at the spot of alleged occurrence nor any specific role has been attributed to him. He further submits that investigation is complete; challan has already been presented and charges in the present case were framed on 16.07.2025. However, no witnesses has been examined till date. He further submits that once it is a case of version and cross-version, it is yet to be decided that which party was the aggressor. To buttress his arguments, it is submitted that though petitioner is involved in 03 more case, however, in 02 of them, he is on bail.

5. So far as petitioner-Vinod Kumar @ Skill is concerned, learned counsel has submitted that the only allegation against the petitioner is that he was a part of an unlawful assembly.

6. It is thus, submitted that in the overall facts and circumstances, the petitioners deserve to be granted bail.

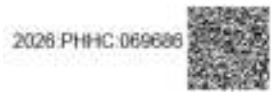
7. Learned counsel for the complainant, however, has opposed the submissions made on behalf of learned Senior counsel as well counsel



for the petitioners and submits that there is a CCTV footage of the alleged occurrence which clearly shows that the petitioners have trespassed into the house of the complainant after breaking open the doors. He submits that the witnesses are yet to be examined and the next date fixed before the trial Court is 21.05.2026. He, thus, prays for rejection of bail of the present petitioners.

8. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners and submits that petitioner, namely, Lovejeet Sharma @ Labhi, was specifically named in the present DDR, who was armed with a stick. He submits that both the petitioners along with co-accused were member of an unlawful assembly, who actively participated in the commission of crime. He submits that the petitioners attacked upon the victim with deadly weapons, which lead to death of complainant's husband. He, on instructions, has submitted that out of total 23 prosecution witnesses, none has been examined till date including the material witnesses. He has produced on record the custody certificates of the petitioners.

9. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioners were arrested on 15.02.2025 vide DDR No.23 dated 16.02.2025. The allegations against petitioner-Lovejeet Sharma @ Labhi are that he was armed with a stick, however, no overt act has been attributed to him. Role attributed to Petitioner-Vinod Kumar was that he was a part of an unlawful assembly, however, no role has been attributed to him, as well. As per custody certificates, petitioners suffered an incarceration of 01 year, 02 days and 17 days as on 05.05.2026. It further reflects that though petitioner-Lovejeet Sharma is involved in 03 more cases, however, in 02 of them, he is on bail and petitioner-Vinod



Kumar @ Skill, is involved in one more case, however, he is on bail in the said case. Admittedly, it is a case of version and cross-version and it would lie within the domain of trial Court to assess that which party was the aggressor. Out of total 23 prosecution witnesses, none has been examined so far.

10. 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.

11. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

12 In case the bail bonds are not furnished by petitioner- **Lovejeet Sharma @ Labhi**, during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

05.05.2025
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(**RAJESH BHARDWAJ**)
JUDGE

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