



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-54584-2025 (O&M)

Date of decision: 13.01.2026

Kuljeet Singh

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rakesh Kumar Gargi, Advocate and
Mr. Ripudaman Singh Sidhu, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

Mr. Sumeet S. Brar, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

1. This is the first petition for grant of regular bail to the petitioner(s) in case bearing FIR No.178 dated 10.06.2024, registered under Section(s) 120-B, 147, 148, 285, 302, 452, 216 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Kalanwali, Police District Dabwali, Sirsa.

2. Learned counsel appearing on behalf of the petitioner contends that the present FIR was registered on the statement of Sandeep Singh @ Seepa, which reads thus:-

“xxxxxxx I am resident of above noted address and I am agriculturist by occupation. I have friendly relations with Devender Singh alias Gaggi son of Gurjant Singh resident of



village Gadrana and we usually remain together. I and Devender go for morning walk with each other on daily basis. Today at around 6.00-7.00 AM, I and Devender Singh alias Gaggi son of Gurjant Singh resident of Gadana were coming back towards the house of Devender after morning walk and when we turned in street towards the house of Gaggi, then driver of one car brought his car in a over speed & Rash manner & hit his said car on the person of Devender @ Gaggi with the aim to kill him and due to hit by the car, Devender @ Gaggi fell down towards one side, then two cars and motorcycles came there, two persons were riding on motorcycle and 10-12 persons came out from the cars, they were armed with Pistols, Swords and Kaapas, then, Gurwinder Singh alias Guri S/o Jagga Singh resident of Takhatmal and Gurdeep Singh @ Gaggi son of Toti Singh resident of Gadrana got down from their motorcycle and Harjinder Singh alias Gullu son of Jagga Singh, Savraj Singh @ Mandar Singh residents of Takhatmal, Charanjit Singh @ Channi resident of Jodhpur Bhakhar, Punjab, Manpreet Singh son of Raja Singh resident of Jagmalwali, Gurmeet Singh @ Geeti resident of Gadrana, Beant Singh Sarpanch son of Labh Singh, Kuldeep Singh son of Kaur Singh, Sukhraj Singh @ Kala son of Mahender Singh, Karanvir Singh alias Karni son of Sukhraj Singh alias Kala, Harpal Singh alias Kala son of Balbir Singh, Jasvir Singh son of Hardeep Singh residents of village Gadrana and Harjinder Singh son of unknown resident of village Khokhar and 5-7 more persons alighted from the car. Gurwinder Singh @ Guri has raised Lalkara and told his associates that to kill Devender @ Gaggi and Sandeep Singh, then Gurwinder Singh and Gurdeep Singh alias Gaggi, Charanjit Singh alias charni, Harjinder Singh alias Gullu, all four armed with pistols, Gurmeet Singh @ Geeti was armed with Sword, Beant Singh Sarpanch was armed



with Danda and the remaining persons were also armed with Swords. Devender @ Gaggu rushed towards the street then all these persons also run behind Devender @ Gaggu with the aim to kill him and Devender @ Gaggu to save his life has gone through the roofs of houses and tried to hide himself in the house of Jagsir Singh S/o Jaggar Singh, resident of Gadrana, then all the above said persons have encircled Devender @ Gaggu in the house of Jagsir Singh and have attacked to him with pistols and Swords with the aim to kill him, due to which Devender @ Gaggu received injuries on his head, hands and other parts of his body, then said all the assailants made firing in the air and while going they were saying that today Sandeep got saved, in future we will also kill him. All the assailants ran away from the spot along with their weapons in the respective vehicles. One motorcycle and Khanda are lying at the spot. Later on I gave information about it to my known persons, we arranged Ambulance and got Devender @ Gaggu in Government Hospital MandiKalawali, where the doctors have declared him to be dead. The motive behind the incident is that Devender @ Gaggu is witness in a case against Sukhraj Singh@ Kala, due to which, all the assailants have committed the murder of Devender @Gaggu. Therefore, legal action be taken against the accused persons. Statement got recorded, heard same is correct. Today in Government Hospital Kalawali, Sd/- Sandeep Singh,."

3. Learned counsel for the petitioner contends that even though as many as 10-12 persons were stated to have caused injuries in the occurrence, however, the complainant had named as many as 15 persons and further stated that 7-8 other persons were also accompanying them. It is contended



that the petitioner was named for the first time in a supplementary statement of the complainant recorded after a delay of 9 days from the date of the incident. It is contended that even in the said statement, there is no attribution to the petitioner of having caused any specific injury to the deceased. He further submits that as per the post mortem report, even though the deceased Devender Singh @ Gaggi had sustained multiple injuries in the nature of firearm injuries, incised wounds and chop wounds, however, none of the injuries can be categorised as lacerated wounds or injuries caused by a blunt weapon. He thus contends that the recovery of a *lathi* from the petitioner, by itself, does not prima facie connect the petitioner with the commission of the offence. It is further contended that the petitioner is a young boy of 19 years and has been falsely implicated in the present case owing to old rivalry inter se between the family of the petitioner and that of the deceased. He further contends that the false implication of the petitioner is also evident from the fact that even though the complainant had specifically named 14 persons who belong to different villages, however, he failed to nominate the petitioner as an accused in the initial version, who is in fact resident of same village. He vehemently argues that it is highly unlikely that once the complainant identified assailants even from the adjacent and adjoining villages, he would not know or name the petitioner who is resident of the same village. He further contends that petitioner has already undergone an actual custody of nearly 18 months but no prosecution witness, out of total 43 has been examined so far. He further contends that the complainant himself is a man of criminal antecedents and as many as 9



FIRs already stand registered against him.

4. Learned State counsel as well as counsel for the complainant contends that the petitioner was specifically named as an accused and that a lathi has been recovered from him, hence, on the said basis, he does not deserve the concession of regular bail. He alleges that the petitioner acted as a facilitator by doing recce and by furnishing information to the other assailants regarding the whereabouts of the deceased. The state counsel, however, is not in a position to refer to any material on record on the basis of which the aforesaid allegations can be corroborated from the evidence collected by the prosecution during the course of investigation. He is further not in a position to refer to any injury which may attributed to the weapon that has been recovered at the instance of the petitioner.

5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

6. Having heard learned counsel appearing for the parties and upon taking into consideration the young age of the petitioner, his clean antecedents, the present stage of the trial wherein not a single prosecution witness out of a total of forty-three has been examined thus far and the inability of the prosecution as well as learned counsel for the complainant to prima facie link the petitioner with the commission of the offence by reference to any specific material on record, and further bearing in mind that the conclusion of the trial is likely to take a considerable length of time, I deem it fit to allow the instant petition.



7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.
8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

13.01.2026

Mangal Singh

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