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

CRM-M-57878-2025

Date of decision: 27.01.2026

**LOVEPREET SINGH ALIAS LAVI
AND ANR.****...PETITIONERS****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Preetwinder Singh Dhaliwal, Advocate for the petitioners.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.14, dated 31.01.2025, under Sections 105 of BNS (old Section 304 of IPC), registered at Police Station Barnala, District Barnala, Punjab.

2. Succinctly the facts of the case is that the FIR was lodged on the statement of the complainant, namely, Kulwinder Singh @ Kaka. It was alleged that his brother, namely, Gurpreet Singh @ Ghoni was taken from home on 29.01.2025 by Lovepreet singh @ Lavi and Jagsir Singh (petitioners) on some pretext. However, his brother did not return home in the night. Thereafter, ON 30.01.2025 at about 06:00 AM their neighbours informed him that his brother, Gurpreet Singh @ Ghoni was lying dead near the government school. They rushed to the place and found that fluff coming out from his mouth. Later on, CCTV cameras installed in the village were checked and it was found that Lovepreet singh @ Lavi and Jagsir Singh (petitioners) had dumped the body of

his brother taking it out from the car. On inquiry, it was found that his brother,

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Gurpreet Singh @ Ghoni, Lovepreet singh @ Lavi and Jagsir Singh were drug addicts who had consumed the drugs on the previous night. The request was made to take legal action against the accused persons. On the registration of the FIR, investigation commenced. During investigation, the complicity of the petitioner surfaced. Thus, he was arrested on 01.02.2025. On completion of the investigation, the challan was presented. On framing of charges, trial commenced. He approached the learned Additional Sessions Judge, Barnala for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned learned Additional Sessions Judge, Barnala declined the bail application vide order dated 30.09.2025. Thus, the petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case only on the basis of presumptions and assumptions. He further submits that even, if the allegations are taken on their face value, the offence has alleged is not made out against them. He further submits that petitioner cannot be said to have had any intention to eliminate the deceased. He further submits that the petitioner, namely, Jagsir Singh has no criminal antecedents whereas petitioner, namely, Lovepreet Singh @ Lavi is involved in two more cases, however, he is on bail in one case and has completed the sentence in another case. He further submits that the complainant has already stands examined and thus, there are no probabilities of influencing the complainant. Thus, in the facts and circumstances, the petitioners deserve to be granted regular bail.

4. *Per contra*, learned State counsel has also opposed the submissions made by counsel for the petitioner. He has submitted that the petitioners had



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during investigation as well. They threw his body near the Government school. He further submits that the intention on the part of the petitioners is *prima facie* established. He, on instructions, further submits that out of total 25 prosecution witnesses, only complainant has been examined and he has supported the case of the of the prosecution. He has produced custody certificate of the petitioners today in the Court and the same are taken on record.

6. Heard.

7. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioners had been alleged to have taken the deceased from home. However, the cause of death as submitted before this Court is due to over dose of drugs. The complainant has already alleged that the deceased and the petitioners were drug addicts and complainant has already been examined. Custody certificate produced would show that the petitioners have completed incarceration of 11 months and 20 days as on 24.01.2026. It further reflects that petitioner, namely, Lovepreet Singh @ Lavi is involved in two more cases, however, he is on bail in one case and has completed the sentence in another case. whereas petitioner, namely, Jagsir Singh is not involved in any other case. Out of total 25 prosecution witnesses, only complainant has been examined and he has supported the case of the of the prosecution.

8. 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.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the stage of the trial, this Court is of the opinion that learned counsel for the petitioners succeeds in making out a case for



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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.

27.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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