



CRM-M-61892-2025 and  
CRM-M-64353-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-61892-2025

Gurpreet Singh another .....Petitioner

Versus

State of Punjab and another .....Respondent  
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CRM-M-64353-2025

Harbans Singh and another .....Petitioner

Versus

State of Punjab and another .....Respondent

Decided on: 26.02.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S. Dhillon, Advocate for the petitioners  
(in CRM-M-61892-2025).

Mr. Arav Ghai, Advocate for the petitioners  
(in CRM-M-64353-2025).

Mr. Neeraj Madaan, Sr. DAG, Punjab.  
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SANJAY VASHISTH, J.

1. By way of this common order, both the aforementioned petitions are being disposed of.
2. Present petitions have been filed by the petitioners, seeking grant of anticipatory bail, in case, COMI/83/2018, titled as “Rani vs. Harbans Singh and others”, whereby, vide order dated 05.08.2025, petitioners have been summoned to face trial, under Section 302 read with Section 34 of IPC, pending before the Court of Judicial Magistrate 1st Class, Malout.



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3. On 04.11.2025, following order was passed in CRM-M-61892-2025:-

*“1. Present petition has been filed by the petitioners, seeking grant of anticipatory bail, in case, COMI/83/2018, titled as “Rani vs. Harbans Singh and others”, whereby, vide order dated 05.08.2025, petitioners have been summoned to face trial, under Section 302 read with Section 34 of IPC, pending before the Court of Judicial Magistrate 1 st Class, Malout (Annexure P-1).*

*2. Counsel for the petitioners contends that initially, FIR No.55 dated 08.05.2018 was registered under Sections 302 and 34 of the IPC at Police Station Kabarwala, District Sri Muktsar Sahib, on the instance of complainant – Rani. As per FIR, on 07.05.2018 at about 3:00 P.M., complainant was informed that her son Ajaypal was being beaten by Gurpreet Singh and others at their house. Upon reaching the spot, she allegedly saw Gurpreet Singh, Mana Singh assaulting her son with his hands, causing him to fall to the ground, where he succumbed to his injuries before her eyes. On the next day, i.e. 08.05.2018, FIR was formally registered and investigated. However, during investigation, it was revealed from the FSL report dated 13.09.2018 that cause of death was due to poisoning, as Aluminium Phosphide Insecticide was detected in the contents of Exhibit II, and phosphine—a constituent of Aluminium Phosphide was found in Exhibits III, IV, and V, while no poison was detected in Exhibit I*

*3. It is further submitted that investigating agency had twice submitted a cancellation report, but the concerned Magistrate directed further investigation on both occasions. Subsequently, complainant filed present impugned complaint, in which petitioners have now been summoned to face trial. Counsel points out that the*



*complaint introduces a materially changed version of events, alleging that when the complainant and her younger son reached the house of Gurpreet Singh, they saw Gurpreet Singh, Mana Singh, Rajvir Singh, and Kiran Singh beating Ajaypal with a stick and a baseball bat. It is further alleged that accused Kiran Singh put a rope around Ajaypal's neck to strangle him, while Sarpanch Harbans Singh incited the others, saying that Ajaypal should be killed and beaten so brutally that he would not be recognizable. Harbans Singh is also alleged to have pulled Ajaypal by his hair and instructed the other accused to put poison into his mouth. Despite complainant's pleas to release her son, no heed was paid, and she allegedly saw the accused forcibly administering poison to him, after which she ran to call her husband for help.*

4. *Counsel for the petitioners submits that complaint was instituted on 01.08.2018, introducing this altered version for the first time, after an unexplained delay of about three months. In the police investigation, no reliable evidence was found against the petitioners, and since cancellation reports have been filed twice, custodial interrogation of the petitioners is not warranted.*

5. *Notice of motion.*

6. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts an appearance on behalf of the respondent/State, and seeks some time to file status report in the matter.*

7. *List again on 15.12.2025.*

8. *Learned State counsel is directed to file a status report with respect to the allegations levelled in the FIR as well as those made in the subsequent complaint case. Learned State counsel shall also assist this Court regarding present status of the investigation and nature of*



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*material or evidence collected during the course of the proceedings.*

9. *Meanwhile, petitioners shall be released on interim bail in the complaint case. However, it is clarified that, subject to the final outcome of the present petition, petitioners shall furnish bail bonds/surety bonds, if so directed by the Court below”*

4. Similarly in CRM-M-64353-2025 on 14.11.2025 following was recorded:

“1. *Present petition has been filed by the petitioners, seeking grant of anticipatory bail, in case, COMI/83/2018, titled as “Rani vs. Harbans Singh and others”, whereby, vide order dated 05.08.2025, petitioners have been summoned to face trial, under Section 302 read with Section 34 of IPC, pending before the Court of Judicial Magistrate 1st Class, Malout (Annexure P-6).*

2. *Counsel for the petitioners contends that initially, FIR No.55 dated 08.05.2018 was registered under Sections 302 and 34 of the IPC at Police Station Kabarwala, District Sri Muktsar Sahib, on the instance of complainant – Rani. As per FIR, on 07.05.2018 at about 3:00 P.M., complainant was informed that her son Ajaypal was being beaten by Gurpreet Singh and others at their house. Upon reaching the spot, she allegedly saw Gurpreet Singh, Mana Singh assaulting her son with his hands, causing him to fall to the ground, where he succumbed to his injuries before her eyes. On the next day, i.e. 08.05.2018, FIR was formally registered and investigated. However, during investigation, it was revealed from the FSL report dated 13.09.2018 that cause of death was due to poisoning, as Aluminium Phosphide Insecticide was detected in the contents of Exhibit II, and phosphine—a constituent of Aluminium Phosphide was found in Exhibits III, IV, and V, while no poison was detected in Exhibit I.*

3. *It is further submitted that investigating agency had twice submitted a cancellation report, but the concerned Magistrate*



*directed further investigation on both occasions. Subsequently, complainant filed present impugned complaint, in which petitioners have now been summoned to face trial. Counsel points out that the complaint introduces a materially changed version of events, alleging that when the complainant and her younger son reached the house of Gurpreet Singh, they saw Gurpreet Singh, Mana Singh, Rajvir Singh, and Kiran Singh beating Ajaypal with a stick and a baseball bat. It is further alleged that accused Kiran Singh put a rope around Ajaypal's neck to strangulate him, while Sarpanch Harbans Singh incited the others, saying that Ajaypal should be killed and beaten so brutally that he would not be recognizable. Harbans Singh is also alleged to have pulled Ajaypal by his hair and instructed the other accused to put poison into his mouth. Despite complainant's pleas to release her son, no heed was paid, and she allegedly saw the accused forcibly administering poison to him, after which she ran to call her husband for help.*

4. *Counsel for the petitioners submits that complaint was instituted on 01.08.2018, introducing this altered version for the first time, after an unexplained delay of about three months. In the police investigation, no reliable evidence was found against the petitioners, and since cancellation reports have been filed twice, custodial interrogation of the petitioners is not warranted.*

*Additionally, it is submitted that though the names of petitioners are mentioned in the FIR, however, no role of causing injuries has been assigned.*

*Learned senior counsel further submits that the co-accused, namely Gurpreet Singh and another, have already been granted the concession of interim anticipatory bail by this Court vide order dated 04.11.2025 in CRM-M-61892-2025.*

5. *Notice of motion.*

6. *On advance notice, Mr. Vinay Malhotra, DAG, Punjab, puts an appearance on behalf of the respondent/State, and seeks some time to file status report in the matter.*



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7. *List again on 15.12.2025.*
8. *Learned State counsel is directed to file a status report with respect to the allegations levelled in the FIR as well as those made in the subsequent complaint case. Learned State counsel shall also assist this Court regarding present status of the investigation and nature of material or evidence collected during the course of the proceedings.*
9. *Meanwhile, petitioners shall be released on interim bail in the complaint case. However, it is clarified that, subject to the final outcome of the present petition, petitioners shall furnish bail bonds/surety bonds, if so directed by the Court below.*
10. *To be heard alongwith CRM-M-61892-2025.”*

5. Continuing his submissions, learned counsel for the petitioners submit in compliance with the interim orders dated 04.11.2025 and 14.11.2025, petitioners appeared before the learned trial Court and furnished the requisite bail bonds/surety bonds. To substantiate his submissions, learned counsel has placed on record a copy of the order dated 20.11.2025 passed by the learned Judicial Magistrate Ist Class, Malout, reflecting their appearance and acceptance of bail bonds.

It is further submitted that the petitioners have complied with all conditions imposed by this Court and have not misused the concession of interim protection. He, therefore, prays for confirmation of the interim orders.

6. Learned State counsel, on instructions, submits that in pursuance of the directions issued by this Court, petitioners did appear before the learned trial Court and furnished the requisite bonds.

7. I have heard learned counsel for the parties and perused the paper-book.



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8. In view of the submissions made and the fact that the petitioners have complied with the interim directions issued by this Court and furnished the requisite bail bonds before the learned trial Court, interim orders dated 04.11.2025 and 14.11.2025 are hereby made absolute. Accordingly present petitions are allowed.

However, it is made clear that the petitioners shall appear before the learned trial Court on each and every date of hearing and shall not absent themselves without obtaining prior permission or exemption from appearance in accordance with law. Petitioners shall also abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

However, present order would be subject to the submission of his passport to the to Court concerned, if they possess, within a period of one week from today. Otherwise, they would submit an affidavit, disclosing the fact that they does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as non est automatically.

9. Accordingly, petitions stand disposed of.

**(SANJAY VASHISTH)  
JUDGE**

**26.02.2026**  
Rashmi

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