

126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC:040299



CRM-M-63864-2025 (O&M)
Date of Decision: 16.03.2026

DARSHAN SINGH ... PETITIONER
VERSUS
STATE OF PUNJAB ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. P.S.Ahluwalia, Senior Advocate with
Mr. Keerat Dhillon, Advocate for the petitioner.

Mr. Parneet Singh Pandher, A.A.G., Punjab.

Mr. Arshpreet Khadial, Advocate for the complainant.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.62 dated 21.06.2021 registered under Sections 302, 452, 506, 148, 149 and 201 (added later on) of IPC and Sections 25, 27, 54 and 59 of Arms Act, 1959 at Police Station Maur, District Bathinda.

2. The case of the prosecution is that the petitioner had formed an unlawful assembly at the place of occurrence and the role attributed to the petitioner is that he raised a '*lalkara*' upon which the co-accused, namely, Ravi Inder Singh @ Lali had fired a shot at Parampreet Singh @ Garry (son of complainant) which caused his death.

3. Learned Senior counsel for the petitioner submits that the petitioner is innocent and has been implicated falsely in the present case. The only allegation against the petitioner is that he had only raised a '*lalkara*'. The petitioner is in custody for the last 03 years, 04 months and 19 days.

Moreover, co-accused Lakhwinder Sharma @ Lucky Pandit and Avtar Singh have already been granted bail by the Co-Ordinate Bench of this Court vide orders dated 27.01.2025 and 14.10.2025 passed in CRM-M-52374-2024 and CRM-M-11267-2025 respectively. He has further relied upon the medical record of the petitioner to contend that the heart of the petitioner is functioning only at 20% capacity.

4. Learned State counsel as well as learned counsel for the complainant vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the status report by way of affidavit of Harpreet Singh, PPS, Deputy Superintendent of Police, Sub Division Talwandi Sabo, District Bathinda and custody certificate in Court, which are taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 03 years, 04 months and 19 days and out of total 37 prosecution witnesses, only 3 have been examined so far and 2 have been given up and the petitioner is involved in one more case.

5. Learned counsel for the complainant submits that the primary motive is attributed to the petitioner, who in connivance with Ravi Inder Singh @ Lali had fired a shot at the deceased.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the medical condition of the petitioner and the fact that co-accused Lakhwinder Sharma @ Lucky Pandit and Avtar Singh have already been granted bail by the Co-Ordinate Bench of this Court; petitioner is in custody for the last 03 years, 04 months and 19 days and out

of total 37 prosecution witnesses, only 3 have been examined so far ; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

16.03.2026
Janki

(H.S.GREWAL)
JUDGE

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