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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

118

CRM-M-66048-2025 (O&M)
Date of decision : 25.03.2026

Gurjinder Singh @ Guri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing DDR No. 4 dated 06.06.2025, under Sections 109, 191(3) and 190 of BNS and Section 25 and 27 of the Arms Act, 1959 having been registered in FIR No.191, dated 05.06.2025, under Sections 103, 191(3), 190, 61(2) of the BNS and Sections 25, 27 of the Arms Act, 1959 (offence under Section 21 of the NDPS Act, 1985 added later on), registered at Police Station City Ferozepur, District Ferozepur.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of the statement recorded by the complainant Pawandeep Kaur, alleging therein that accused Amrik Singh @ Amrika by hatching a conspiracy with his

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father Joginder Singh @ Lallu, brother Gurdit Singh, Angrej Singh and Ashish Chopra had got her husband murdered through Shivam Sehgal @ Shanga and Yuvraj Singh @ Yuvi. After registration of the FIR, investigation proceedings were initiated. Postmortem examination of the dead body was conducted. Shivam Sehgal and Simranpreet were arrested on 16.06.2025. Recoveries of illegal arms and ammunition were effected from them including 105.78 grams of heroin.

3. As per the further allegations, on 06.06.2025, the aforementioned DDR No.4 was registered on the statement of Arshdeep Singh, owner of the tattoo shop, who recorded his statement to the effect that the victim Ashu Monga along with his companion Amarjit Singh had come to his shop on the fateful day, when three persons including accused Yuvraj Singh @ Yuvi were sitting in the same. An altercation had taken place between them and the victim as well as the petitioner had taken out pistols. He had rushed outside the shop and had heard noises of fire shots. He further disclosed about reaching at the tattoo shop and that he came to know that it was a case of gang war and fire shots were exchanged between the members of the party of victim Ashu Monga, who were the petitioner-Gurjinder Singh @ Guri, Noda @ Sabha @ Sarabjit, Lakha, Amarjit Singh and Dev Sharma and the members of the party of Yuvraj Singh @ Yuvi and Shivam @ Shivam Sehgal. The petitioner was arrested on 10.07.2025. He suffered disclosure statement admitting his guilt and disclosed that on asking of victim Ashu Monga, he had gone to tattoo shop along with him to take revenge from Shivam Sehgal @ Shanga and Yuvraj @ Yuvi as both of them had used abusive language against wife of the victim Ashu Monga, with the

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plan that Ashu Monga and himself will shoot Shivam Sehgal @ Shanga and Yuvraj @ Yuvi.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this cross case because he was an eyewitness to the murder of the victim Ashu Monga. Entire story has been concocted only with a view to create a cross case. The petitioner had no role in commission of subject offences alleged in the cross case. No overt act has been attributed to him. The offence under Section 109 of BNS is not attracted at all as no injury is attributed to him. He has been in custody since 10.07.2025. Investigation qua him stands completed. Conclusion of trial is likely to take considerable time. No useful purpose would be served by keeping him in custody anymore. Similarly situated co-accused Amarjit Singh @ Amar has been granted concession of regular bail, whereas co-accused Dev has been granted concession of anticipatory bail by this Court. On parity, he too deserves to be given the same benefit. Hence, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

5. *Per contra*, learned State counsel has vehemently argued that the allegations against the petitioner are quite serious in nature. He along with co-accused had fired shots upon the persons, who are accused in FIR case. The petitioner had actively participated in commission of subject offences. There are chances of the petitioner's absconding, committing similar offences or intimidating the prosecution witnesses. Hence, it is urged that the petition is liable to be dismissed.

6. This Court has considered the submissions made by both the sides.

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7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is further alleged to have come to the tattoo shop of Arshdeep Singh, complainant in cross/DDR case, on the fateful day along with victim Ashu Monga where certain persons including accused Yuvraj Singh @ Yuvi were already present. An altercation allegedly took place between the parties and both sides are stated to have taken out firearms, whereafter shots were fired. The prosecution case further is that the said incident was part of a gang rivalry between the members of the party of Ashu Monga and that of Yuvraj Singh @ Yuvi and Shivam Sehgal. The petitioner was arrested on 10.07.2025. Investigation qua him stands completed and the challan has already been presented before the Court. The trial is likely to take considerable time before its conclusion. A perusal of the status report reveals that though the petitioner is alleged to have been present at the spot and to have taken out a pistol during the altercation, however, no specific injury has been attributed to him. In such circumstances, it would be a debatable question during the course of trial as to whether the offence punishable under Section 109 of BNS is made out against him or not. This aspect would necessarily require appreciation of evidence, which can only be undertaken during the trial. Similarly situated co-accused have already been granted concession of bail by this Court. The principle of parity also weighs in favour of the petitioner. Keeping in view the aforesaid facts and circumstances, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose, particularly when investigation stands concluded and the trial is likely to take considerable

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time. Consequently, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) He shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) He shall appear before the learned trial Court as and when directed.
- (iv) He shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

25.03.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No