



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

115-1

CRM-M-67910-2025 (O&M)

Date of decision: 23.04.2026

Bua Singh

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

115-2

CRM-M-1966-2026 (O&M)

Date of decision: 23.04.2026

Arvinder Singh @ Bunty

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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CRM-M-1728-2026 (O&M)

Date of decision: 23.04.2026

Sukhwinder Singh @ Gagan

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. G.S. Ghuman, Advocate;
Mr. Atul Kumar, Advocate;
Mr. P.S. Maan, Advocate for the petitioner(s)
in CRM-M-67910-2025 and CRM-M-1966-2026.

Mr. Ravi Chadha, Advocate for the petitioner
in CRM-M-1728-2026.

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. S.S. Rangi, Sr. Advocate with
Mr. Gulraz S. Kohli, Advocate;
Mr. Fateh Sahota, Advocate;
Ms. Kawaljit K. Dhillon, Advocate for the complainant.

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VINOD S. BHARDWAJ, J. (Oral)

1. These three petitions, filed by three different accused/petitioners, for grant of regular bail in case bearing FIR No.76 dated 21.04.2025, registered under Section(s) 127(6) of the Bharatiya Nyaya Sanhita, 2023 and later on Sections 103, 61(2), 238 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act, 1959 were added while Section 127(6) of the Bharatiya Nyaya Sanhita, 2023 was deleted, at Police Station Moti Nagar, Commissionerate Ludhiana, are being decided by this common order. For the facility of reference, the facts are, however, being taken from CRM-M-67910-2025 titled as '***Bua Singh Vs. State of Punjab***'.

2. The present FIR was registered on the statement of Ranjit Kaur, mother of deceased-Gurjinder Singh @ Gora. The same reads thus:-

“xxxxxx stated that I am resident of above mentioned address and does household work. I have two children. Name of elder one is Manjinder Singh and name of younger son is Gurjinder Singh alias Gora. My son Gurjinder Singh also known as Gora went to the park for a walk on date 16-04-2025 at 07:00 in the evening, who did not return. Then I along with my relatives kept searching for my son Gurjinder Singh also known as Gora till now, but nothing was found. My son Gurjinder Singh had worn a red T-shirt, black coloured slippers, and a pyjama, whose appearance is as follows: age about 43 years, eyes black, speaks Punjabi language, complexion fair, height 06 feet 01 Inch, body slim, has light

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beard and moustache. I kept searching for my son Gurjinder Singh also known as Gora on my own till now but nothing could be found. I suspect that my son Gurjinder Singh also known as Gora has been kept hidden somewhere by some unknown person so that no person or public servant may come to know about it. Today I have come to Police Station along with my son Manjinder Singh son of Late Sohan Singh to give information. Action may be initiated against unknown persons.”

3. Learned counsel for the petitioners contend that the entire case setup by the prosecution against the petitioners namely Bua Singh, Arvinder Singh @ Bunty and Sukhwinder Singh @ Gagan is that on the date of occurrence i.e. 16.04.2025 the petitioners and Gurjinder Singh @ Gora(deceased) were having drinks in the house of Arvinder Singh @ Bunty. The licensed pistol of petitioner-Bua Singh is stated to have been lying on the table and that during the course of having drinks, certain untoward incidents occurred, whereupon Arvinder Singh @ Bunty fired shot on the temple of the deceased thus committing murder. It is further alleged that petitioner-Bua Singh and co-accused/Sukhwinder Singh @ Gagan thereafter carried the dead-body of the deceased-Gurjinder Singh @ Gora in the car belonging to Bua Singh and disposed the same by throwing it into the Morinda canal, from a flyover situated around an unpaved passage near Morinda. It is submitted that the Police has recovered a .32 bore licensed pistol belonging to petitioner-Bua Singh in the present case to link the

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petitioners herein with the commission of offence.

4. Learned counsel for the petitioners contend that apart from the confession of Arvinder Singh there is no other evidence available with the respondents that may lead to a conclusion that the occurrence took place in the manner as alleged. It is vehemently argued that even though the entire case setup by the prosecution is that the death took place on account of a gun-shot fired on the temple of Gurjinder Singh @ Gora (since deceased), whereas the medical evidence viz. the Post Mortem Report does not corroborate the version of the prosecution. To substantiate their claim, they refer to the post-mortem examination report appended with the petition and contend that no injury of any nature whatsoever has been detected on the face or temporal region of the deceased or on any other part of the body of deceased, leave aside a gun-fire shot. Attention of this Court is drawn to the opinion given by the Doctors with respect to the cause of death, which reads thus:

“OPINION

Cause of Death:

In this case the cause of death is due to Myocardial infarction which is sufficient to cause death in this case.

Probable time

- a. *Between injury and death* ***More than 6 Hours.***
- b. *Between death and postmortem examination* ***12 to 24 Hours”.***

5. It is submitted that a perusal of post mortem examination report as well as aforesaid opinion clearly rules out the possibility of any homicidal death. It is contended that in the present case, the death is on account of Myocardial Infarction which is a natural death. They further

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contend that still further, the final report reflects that the dead-body had been recovered on 17.04.2025 and the post-mortem examination was conducted on 22.04.2025. As per the probable timeline given by the doctor, the time between the injury and death is stated to be more than 06 hours. The time between death and post-mortem examination is stated to be between 12 to 24 hours. In this context, the counsel contends that the timelines as per the post-mortem report do not corroborate the prosecution version, inasmuch as the post-mortem was conducted nearly five days i.e. 120 hours after the recovery of the dead body. It is further submitted that investigation in the matter already stands completed but charges are yet to be framed and the petitioners have no other criminal antecedents. Conclusion of trial shall take a long time.

6. Learned State counsel, however, contends that the FSL report in the matter is still awaited and there were certain dark brown stains on the mat in the boot of the car of petitioner-Bua Singh. The FSL report with respect to the same is still awaited and there is no explanation coming forth as regards the circumstances under which the blood stains would be present in the car.

7. Learned Senior counsel for the complainant further adds that co-accused/Bua Singh being a Police official, has managed to derail the investigation. He, however, is not in a position to dispute that no application for any re-medical examination or constitution of a medical board for report on post mortem was ever moved by the complainant herein. It is also not disputed by the learned State counsel as well as learned Senior counsel for

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the complainant that no bullet injury or any external injury was found on the body of deceased. There was no blood oozing out of his body. Only the lungs were reported to be filled with blood but there is no blood oozing mouth or otherwise reflected in the post-mortem report. They are also not in a position to offer any plausible explanation as regards the discrepancy between the cause of death as opined by the Doctors viz. a the manner of incident as concluded by the investigation agency and the material discrepancies between the ocular and medical version of the case or the glaring gaps in the timelines.

8. 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.

9. Taking into consideration the facts and circumstances as noted above, including the material discrepancies pointed out by counsel for the petitioners, between the ocular and medical version and the arguable issues pertaining to the mode and manner in which the incident in question is stated to have taken place where the case setup by the prosecution is that the death occasioned as a result of a gun-fire shot fired from the licensed pistol of petitioner-Bua Singh and by Arvinder Singh @ Buntty when seen in light of the cause of death opined by the Doctors being 'Myocardial Infarction', the case gives rise to merit for bail. Besides, there is absence of any mark of injury or blood oozing from any part of the body. Additionally timelines between death and postmortem is 12 to 24 hours whereas post mortem was conducted on 22.04.2025 while murder is alleged to have been caused on

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16.04.2025. Further, even though the investigation in the present case stands concluded, however, the charges are yet to frame and 16 prosecution witnesses are to be examined. The trial shall thus take long time to conclude. The petitioners have clean antecedents and have undergone an actual custody of around 10 months.

10. In view of the above, I deem it fit to allow the instant petitions.

11. Accordingly, the instant petitions are allowed and the petitioners are ordered to be admitted to regular bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

12. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. 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

23.04.2026

Mangal Singh

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