

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

2026:PHHC:001759



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CRM-M-68771-2025

Date of decision: 12.01.2026

Date of uploading: 12.01.2026

Gurjit Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Aminder Singh, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

Mr. Tanvir S. Grewal, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.88 dated 20.09.2024 registered for the offences punishable under Sections 103, 61(2), 3(5) of BNS 2023 at Police Station Longowal, District Sangrur.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Copy of statement of Gurcharan Singh son of Mukhtiar Singh resident of Akliia police station Joga district Mansa aged about 76 years Mo: No: 98033-24913 stated that I am a resident of the above address and I am engaged in agricultural work. I have a son Balwinder Singh age about 42 years and three daughters elder than him and my wife Sukhdayal Kaur died about a month ago. All my three daughters were married and my son Balwinder Singh's first marriage was with Raman Kaur

daughter of Jagroop Singh resident of Ramnagar Maur Mandi Bathinda, from which two daughters were born. My son got divorced from her and out of those two daughters my daughter-in-law kept one of the daughters with her and we kept the second girl with us. After that I got my son Balwinder Singh's second marriage with Rajvir Kaur daughter of Jora Singh resident of Fatehgarh police station Lehra Sangrur. Out of which a boy was born who is about 4 years old. In the year 2006-2007 my son Balwinder Singh had an illicit relationship with Rupinder Kaur daughter Kaur Singh resident of Aklia of our village. Rupinder Kaur's family came to know about this and in the year 2008 they had married Rupinder Kaur with Malkit Singh son Karmail Singh resident of Randhawa Patti Mander Road Longowal after which Rupinder Kaur had two daughters aged about 13 years and 8 years. Now I have come to know that now Rupinder Kaur wife Malkit Singh resident of Longowal and my son Balwinder Singh had started meeting each other again by contacting each other on the phone. Rupinder Kaur's husband Malkit Singh came to know about their relationship and they started having fights in his house. On 19.9.2024, my son Balwinder Singh left home at around 6 pm after telling me that he was going for some work and did not return home till late at night and we were very worried. Then I came to know that Rupinder Kaur who had relation with my son and her husband Malkit Singh and Malkit Singh's nephew Gurjit Singh son of Paramjit Singh resident of Randhawa Patti Mander Road Longowal who works as a photographer, these three acquaintances got together and on 19.09.2024, Rupinder Kaur called my son saying that you should come and meet me right away and also threatened that if you do not come to meet me, I will die. So when my son reached Rupinder Kaur's in-laws' house in Longowal to meet Rupinder Kaur, it must have been around 8:30 PM, then Rupinder Kaur's husband Malkit Singh and his nephew Gurjit Singh, who were already ready, beat my son Balwinder Singh badly with sticks, who fell to the ground in an injured condition. Hearing the noise, some passers-by and residents of the locality gathered there and then they picked up my son in an injured condition and admitted him

to the Civil Hospital in Sangrur, but by that time my son had died. A few days ago, my son had informed my nephew Sarjit Singh, son of Gurbaksh, about what was going on between Rupinder Kaur and my son and had told him that Rupinder Kaur used to call him repeatedly saying that if you don't come to me, I will die and that her husband Malkit Singh has come to know about our affair, he can kill me. So in the meantime, Rupinder Kaur and her husband Malkit Singh and Malkit Singh's nephew Gurjit Singh conspired and called my son to their house and beat him up, who died on the intervening night of 19-20.09.2024 while not being able to bear the heat of the injury. The three acquaintances have done this and put my son to death. Please take strictest action against Malkit Singh and Malkit Singh's nephew Gurjit Singh and Rupinder Kaur.”

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 29.09.2024. Learned counsel for the petitioner further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that the case in hand is one of last-seen account and the relevant witnesses thereof stand examined as prosecution witnesses. He has further iterated that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Counsel for the State has opposed the present petition by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 11.01.2026 in Court, which is taken on record.

5. Learned counsel for the complainant has argued that there are direct/serious allegations against the petitioner. He has further submitted that the case in hand involves capital punishable and, hence the petitioner ought not to be enlarged on bail.

6. I have heard counsel for the parties and have gone through the available records of the case.

7. The petitioner was arrested on 29.09.2024, whereinafter investigation was carried out and challan was presented on 21.12.2024. Total 22 witnesses have been cited, out of which three stand examined and three have been given up till date. It is not in dispute that the prime prosecution witness stand examined and conclusion of trial will take long time. At this juncture, it would be apposite to refer herein to the *dicta* passed by the Hon'ble Supreme Court ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another, 2024(3) RCR (Criminal) 494***, relevant whereof reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under [Article 21](#) of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. [Article 21](#) of the Constitution applies irrespective of the nature of the crime.”

The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage lest it may prejudice the rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

As per the custody certificate dated 11.01.2026 filed by the learned State counsel, the petitioner has suffered incarceration for more than 1 year and 3 months & 19 days. Further, as per the said custody certificate the petitioner is not shown to be involved in any other case.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.

- (v)

The petitioner shall deposit his passport, if any, with the trial Court.
- (vi)

The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii)

The petitioner shall not in any manner try to delay the trial.
9.

In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
10.

Ordered accordingly.
11.

Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
12.

Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

January 12, 2026
Naveen

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