



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CRM-M-68735-2025

Date of decision: 23.02.2026

HIRA SINGH ALIAS KALI

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Piyush Setia, Advocate
for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH, J.

1. This petition for bail, which is first petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed with regard to a case arising out of FIR No.195 dated 14.08.2022. The above-mentioned FIR has been lodged for the commission of offence punishable under Sections 302, 307, 341, 323, 34 of Indian Penal Code, hereinafter being referred to as IPC, Police Station Lambi, District Shri Muktsar Sahib.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Rajpal Kaur', who stated that on 13.08.2022 at about 7:30 P.M. when she along with her husband 'Narsi Singh'



and uncle 'Jagan Singh' was going on foot, she noticed that her son 'Sona' and nephew 'Rinku Singh', travelling on a motorcycle, crossed them. According to complainant on their way ahead 'Satpal' and 'Heera Singh' armed with an iron rod and a spade (*kasoli*), respectively, stopped them and launched an attack upon them, wherein injuries on their person were inflicted. The complainant further alleged that the injury suffered by her nephew was grievous in nature, whereas the injury suffered by her son Jaswinder Singh @ Sona proved to be fatal.

3. It is the case of the prosecution that in view of above-mentioned statement, formal FIR of this case was lodged, and the investigation taken up. As per prosecution, during the course of investigation the petitioner was taken into custody.

4. Heard.

5. It has been contended by learned counsel for the petitioner that petitioner has been falsely implicated in the present case, and that he has already suffered prolonged incarceration for being in custody for a period of more than three and half years. According to learned counsel for the petitioner the benefit of bail has already been accorded to co-accused Satpal Singh, and therefore, on the ground of parity as well, the petitioner is entitled for bail.

6. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel the role attributed to the petitioner in the commission of crime is the most prominent and prime role as the fatal blow was inflicted by petitioner on the person of deceased. According to learned State counsel in view of above, the petitioner is not entitled to claim parity with co-accused. The learned State counsel has further contended that



and in view of grievous nature of offence committed by the petitioner, he does not deserve the concession of bail.

7. The record has been perused carefully.

8. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration, for a decision: -

- i) that allegations against the petitioner are that the fatal blow which was responsible for the death of victim has been attributed to the petitioner;
- ii) that as per allegations, it was not only a single blow but repeated blows inflicted by the petitioner which resulted into death of victim;
- iii) that the petitioner is not entitled to claim parity with co-accused Satpal as injuries inflicted by Satpal was not fatal for the victims;
- iv) that there is a credible eye-witness account implicating the petitioner in the commission of crime.

9. Taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby observed that the petitioner is not entitled for the benefit of bail and the present petition is devoid of merits. Hence, the same is hereby **dismissed** accordingly.

(SURYA PARTAP SINGH)
JUDGE

23.02.2026

<i>vipin</i>	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No