



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

119

1)

CRM-M-69482-2025
Decided on : 23.04.2026

Kuldeep @ Madari

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

2)

CRM-M-71989-2025

Gurpreet Singh @ Ginda

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Roja Agnihotri, Advocate
for the petitioner(s) (in CRM-M-69482-2025).

Mr. Prateek Pandit, Advocate
for the petitioner(s) (in CRM-M-71989-2025).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-69482-2025 and CRM-M-71989-2025, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-69482-2025.

2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kuldeep @ Madari (petitioner in CRM-M-69482-2025)	121	07.06.2025	S. 331(4), 305, 62 of BNS, 2023 and S. 27/54/59 of Arms Act, 1959 (added later on)	Sadar Kapurthala	Kapurthala
Gurpreet Singh @ Ginda (petitioner In CRM-M-71989-2025)	121	07.06.2025	S. 331(4), 317(2), 305, 62, 109, 238 of BNS, 2023 and S. 25, 27 of Arms Act, 1959 (offences u/s 109, 238 of BNS & 27 of Arms Act, added later on)	Sadar Kapurthala	Kapurthala

3. FIR in the present case was registered on the basis of statement suffered by complainant – Rupinder Singh, wherein, it has been averred that he is the owner of Satgur Roller Flour Mill, Nathu Chahal. 25 employees works in his mill and for the security of this mill, he had deployed Harjinder Singh as security guard, who is having his own licensed weapon.

On the intervening night of 06/07.06.2025 at about 12:35 AM, he received a call from his mill employee Indresh Kumar that 03 thieves who had come on an activa were trying to enter into the mill by breaking the wall of the mill for committing theft. One of the assailants had fired at security guard Harjinder Singh, and in retaliation, when security guard Harjinder Singh fired back upon them with his rifle to protect himself and the mill, which hit one of the assailants.

Thereafter, complainant along with his partner Harpal Singh, his son Prabhdeep Singh and nephew Eknor Singh reached at the spot at 02:00 AM, where they saw that unknown persons had broken the wall on the road side of his mill. He also saw that one person with pool of blood was lying in corn field in front of his, who appeared to have died. On the basis of the aforesaid statement, FIR in the present case was registered against unknown persons.

4. Learned counsel for the petitioner(s) contends that during investigation firstly, petitioner – Gurpreet Singh @ Ginda (in CRM-M-71989-2025) was nominated as an accused on 08.06.2025, and after his arrest on the basis of his disclosure statement/confessional statement, petitioner – Kuldeep @ Madari (in CRM-M-69482-2025) was also arrested.

5. Primary contention raised on behalf of the petitioners is that investigation in the present case stands completed and no Test Identification Parade was ever conducted during investigation. It is further submitted that none of the petitioners is attributed any injury to any person and even the alleged theft was never committed.

Learned counsel submits that, as of now, petitioners are sought to be implicated merely on account of their alleged presence at the spot. It is further contended that one of their alleged companions, namely Lovepreet @ Mota, lost his life due to the gunshot fired by the security guard Harjinder Singh, who is himself a witness to the occurrence. On these grounds, prayer has been made for grant of concession of regular bail to the petitioners.

6. On the other hand, learned State counsel has filed the custody certificate dated 22.04.2026 (in CRM-M-69482-2025) in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

7. Learned State counsel, while opposing the prayer for bail, submits that serious allegations are levelled against the petitioners, as they were allegedly present at the spot at the time of the incident. It is further submitted that pursuant to the disclosure statement of petitioner – Kuldeep @ Madari, one Activa scooter bearing registration No. PB-57-C-7084, allegedly

used in the commission of offence, was recovered during investigation.

Further submits that said Aactiva scooter was found to be stolen and registered in the name of one Balbir Singh. Thus, keeping in view the gravity of offence and nature of allegations, learned State counsel seeks dismissal of the present petitions.

8. Having heard learned counsel for the parties and perusing the relevant material available on record with their able assistance, this Court finds that both the petitioners are inside the jail for the period of last about 09 months and the process of recording statements of the prosecution witnesses is yet to commence. Thus, conclusion of trial is likely to take considerable time.

It is also a matter of record that none of the petitioners has been specifically attributed causing injury to any person. The precise role of the petitioners and the purpose of their alleged presence at the spot along with the deceased co-accused are matters, which would be required to be adjudicated by the trial court during the course of trial.

It is also noticeable that investigation already stands completed and the challan has been presented. Therefore, no useful purpose would be served by keeping the petitioners inside the jail for an indefinite period.

9. Accordingly, considering the totality of the circumstances, nature of allegations, period of custody already undergone, and without commenting upon the merits of the case, this Court deems it appropriate to grant concession of regular bail to the petitioners.

Consequently, prayer made in the present petition is **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any

other case.

10. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. **Petitions stand disposed of.**

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

April 23, 2026

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No