



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.69983 of 2025
Date of Decision: 06.04.2026

Amritpal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

Mr. Amit Arora, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
209	15.06.2024	Goindwal Sahib, District Tarn Taran	302, 307, 323, 324, 506, 148 and 149 of IPC and 25 and 27 of Arms Act, 1959 (326 of IPC added and 307 of IPC deleted)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of

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statement recorded by the complainant Balbir Singh alleging therein that on 14.06.2024, he along with his brother Satbir Singh had been putting manure in their agricultural land when at about 7 PM, the accused Lakhwant Singh accompanied by his two sons i.e. the present petitioner Amritpal Singh and Varinderpal Singh reached there. A dispute was already going on between Lakhwant Singh and them with regard to the same land. The petitioner was armed with a datar whereas Lakhwant Singh was carrying a pistol. All of them made exhortations. The wives of Lakhwant Singh, petitioner and that of Varinderpal Singh were also accompanying them along with two unknown persons. Thereafter, Manjinder Kaur wife of Lakhwant Singh made an exhortation to not to spare the complainant and then accused Lakhwant Singh fired a gun shot with his pistol which directly hit Satbir Singh. He had fallen down. In the meantime, accused Sukhjinder Kaur handed over her datar to accused Varinderpal Singh who struck blows with the same on the head of Satbir Singh. Blood started oozing out of his head. The accused Lakhwant Singh fired another shot with pistol towards him with intent to kill him but he had narrow escape and had fallen down. The petitioner struck repeated blows with datar on his head and hand. Sarbjit Kaur struck blows with dang upon him. Accused Lakhwant Singh opened attack thereby injuring his right eye. On clamour being raised, the assailants fled from the spot. The victim Satbir Singh had succumbed to his injuries. The postmortem examination of his dead body was conducted. The

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complainant was also medically examined.

3. As per the further allegations, Manjinder Kaur, Sarabjit Kaur and Sukhjinder Kaur were found to be innocent. The petitioner was arrested on 07.03.2025. He suffered disclosure statement admitting his involvement in the crime and got recovered the datar used by him for causing injuries on the person of the complainant. As per the medico legal report, these injuries were opined to be simple in nature. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, on 14.06.2024, his father Lakhwant Singh was cultivating his own land. Some officials from the department of PSPCL reached there to install electricity poll but the complainant and his brother Satbir Singh started restraining them from doing so. His father had intervened and then the victim Satbir Singh and Balbir Singh complainant had opened an attack upon his father and were the aggressors. The petitioner was not present at the spot nor any injury has been caused by him to either of the victim. A false story has been concocted. The injuries which have been attributed to him have been opined to be simple in nature. The complainant Balbir Singh had got himself examined only on 10.07.2024 i.e. after a gap of 25 days from the date of incident. No injury on the person of the deceased has been attributed to him. There is no material on record to show that the petitioner had hatched any conspiracy with the co-accused or had formed any unlawful assembly. He is in custody since

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07.03.2025. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody any more. His antecedents are clean. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned Senior Deputy Advocate General, Punjab assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. Accused Varinderpal Singh who is brother of the petitioner has been absconding. There are chances of petitioner's absconding or committing similar offences, if extended benefit of bail. Therefore, it is urged that he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions.

7. The petitioner in connivance with the co-accused is alleged to have opened an assault upon the complainant with datar thereby causing simple injuries to him. Though he is also alleged to have formed membership of an unlawful assembly with the co-accused, however, three of the persons named as accused have been found to be innocent. Even application filed under Section 319 of Cr.P.C. for summoning them as additional accused has also been dismissed. Therefore, it is a debatable question as to whether the ingredients of Sections 190 and 191 (3) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") which are pari materia with Sections 149 and 148 respectively of IPC are attracted against the



petitioner at all or not since, only three of the persons including the petitioner have been challaned as accused. As such, it also cannot be stated that the petitioner is connected with the case with the aid of Sections 190/191 of BNS. The allegations also show that no injury on the person of the victim Satbir Singh has been attributed to the present petitioner and injury on the person of the complainant have been attributed to him which have been opined to be simple in nature. There are no chances of conclusion of trial in near future as only 02 out of 24 prosecution witnesses have been examined so far. Taking into consideration the above discussed facts, the role attributed to the petitioner, the nature of the injuries sustained at his hands by the complainant, period spent by the petitioner in custody and the circumstances peculiar to the case, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.04.2026
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(MANISHA BATRA)
JUDGE

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