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

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CRM-M-132-2026 (O&M)
Date of decision : 16.03.2026

Shivam @ Shivam Sehgal**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Janya Sirohi, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No.191, dated 05.06.2025, under Sections 103, 191(3), 190, 61(2) of the BNS and Sections 25, 27 of the Arms Act, 1959 (offence under Section 21 of the NDPS Act, 1985 added later on), registered at Police Station City Ferozepur, District Ferozepur.
2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant Pawandeep Kaur, alleging therein that accused Amrik Singh @ Amrika by hatching a conspiracy with his father Joginder Singh @ Lallu, brother Gurdit Singh, Angrej Singh and Ashish Chopra had got her husband murdered through petitioner Shivam Sehgal @ Shanga and Yuvraj Singh @ Yuvi. After registration of the FIR,

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investigation proceedings were initiated. Postmortem examination of the dead body was conducted.

3. As per the further allegations, on 06.06.2025, a rapat No.4 was registered on the statement of Arshdeep Singh, owner of the tattoo shop, under Sections 103, 191(3), 190 and 61(2) of BNS, Sections 25 and 27 of the Arms Act, 1959 and Section 21 of the NDPS Act, who recorded his statement to the effect that the victim Ashu Monga along with Amarjit Singh had come to his shop on the fateful day, when three persons including accused Yuvraj @ Yuvi were sitting in the same. An altercation had taken place between them and the victim as well as Amarjit Singh had taken out pistols. He had rushed outside the shop and had heard noises of fire shots. He further disclosed about reaching at the tattoo shop and that he came to know that it was a case of gang war and fire shots were exchanged between the members of the party of victim Ashu Monga, who were Gurjinder Singh, Noda @ Sabha @ Sarabjit, Lakha, Amarjit Singh and Dev Sharma and the members of the party of Yuvraj Singh @ Yuvi and the present petitioner. Upon arrest, Amarjit Singh suffered a disclosure statement to the effect that on asking of victim Ashu Monga, he had gone to tattoo shop along with him to take revenge from petitioner Shivam Sehgal @ Shanga and Yuvraj @ Yuvi as both of them had used abusive language against wife of the victim Ashu Monga, with the plan that Ashu Monga and himself will shoot Shivam Sehgal @ Shanga and Yuvraj @ Yuvi.

4. As per the further allegations, the petitioner along with co-accused Simranpreet was arrested on 16.06.2025. Recovery of one pistol of .32 bore along with magazines and 06 live cartridges was effected from

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the petitioner. Heroin weighing 105.78 grams was also recovered from his conscious possession. Offence under Section 21 of the NDPS Act was added. From the personal search of co-accused Simranpreet, recovery of one .32 bore pistol along with magazine and 03 live cartridges was effected. Investigation qua the petitioner now stands completed.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. It is a case of version and cross-version. As per the version in cross case, it was the victim Ashu Monga himself who had come to the place of occurrence along with above named Amarjit Singh with an intent to kill them and both of them had fired shots upon the persons sitting there. In fact, at the time of occurrence, the petitioner was present in a salon at Phase 7, SAS Nagar, which is situated at a distance of about 250 kms from the place of occurrence. The CCTV footage of the camera installed in the said salon verifies this fact. Even accused Amarjit Singh, who had come along with victim Ashu Monga, had disclosed in his disclosure statement, that the petitioner was not present at the place of occurrence. The petitioner is in custody since 16.06.2025. No useful purpose would be served by keeping him in custody anymore. Co-accused Angrej Singh has already been granted concession of regular bail by this Court. On parity, he too deserves to be given the same benefit. Hence, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

6. *Per contra*, learned State counsel has vehemently argued that the allegations against the petitioner are quite serious in nature. He along with co-accused Yuvraj @ Yuvi and other co-accused had fired gunshots at

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the victim, who had died at the spot. The petitioner had actively participated in commission of subject offences. During the course of investigation, a secret information was received that the petitioner and co-accused Simranpreet Singh were also present at the place of occurrence and had participated in commission of crime. The co-accused are yet to be arrested. There are chances of the petitioner's absconding, committing similar offences or intimidating the prosecution witnesses. Hence, it is urged that the petition is liable to be dismissed.

7. This Court has considered the submissions made by both the sides.

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is further alleged to have fired gunshots at victim Ashu Monga, who died at the spot. A perusal of the record reveals that it is a case of version and cross-version regarding the incident in question. As per the material placed on record, it is alleged that the deceased Ashu Monga along with his companion Amarjit Singh had come to the tattoo shop and an altercation had taken place between the parties, whereafter fire shots were exchanged. It is the specific case set up on behalf of the petitioner that at the time of occurrence he was present at a salon at Phase-7, SAS Nagar, which is stated to be about 250 kilometres away from the place of occurrence and the said plea is sought to be substantiated by CCTV footage of the said premises. Though the veracity of the said plea would, however, be a matter of evidence to be examined during the course of trial, however, it is also significant to note that Amarjit Singh, who admittedly belonged to the party

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of victim/deceased Ashu Monga, in his disclosure statement has categorically stated that the present petitioner was not present at the place of occurrence. Since the very presence of the petitioner at the place of occurrence is doubtful, the same weighs in his favour at least for the purpose of grant of regular bail.

9. So far as the recovery of 105.78 grams of heroin from the petitioner is concerned, the same falls in the category of non-commercial quantity. The investigation qua the petitioner stands completed and the challan has already been presented. The petitioner has been in custody since 16.06.2025 and the trial is likely to take some time to conclude. It is also not disputed that co-accused Angrej Singh has already been granted the concession of regular bail by this Court. Keeping in view the overall facts and circumstances of the case, the period of custody already undergone by the petitioner, the stage of the trial and without expressing any opinion on the merits of the case, this Court is of the considered opinion that further incarceration of the petitioner would not serve any useful purpose. Consequently, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any

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circumstance without permission of the learned trial Court.

(iii) he shall appear before the learned trial Court as and when directed.

(iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

(v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

10. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

11. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

16.03.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No