

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

210

**CRM-M-72412-2025
Date of decision: 09.01.2026**

GURKIRAT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Manuj Nagrath, Advocate
for the petitioner.

Ms. Savi Nagpal, Asst. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No.147 dated 03.08.2023, registered under Section(s) 302 of the Indian Penal Code, 1860 registered at Police Station Sadar Jagraon, District Ludhiana Rural.

2. The FIR in the present case has been registered on the statement of Nirpal Singh, son of Jagat Singh, son of Tota Singh, resident of Village Chimna, Police Station Sadar Jagraon, District Ludhiana who stated that on the date of the occurrence, the informant was present at his residence along with his mother, Harbans Kaur, and his elder daughter, Gurmanjot Kaur. His

younger daughter had gone to school, while his wife had gone to Jagraon Bazaar. At around 12:00 noon, when Gurmanjot Kaur went to the cattle shed for some work, the complainant heard her screams. Upon rushing to the spot, he saw Gurkirat Singh, son of Avtar Singh alias Fauji, a resident of the same village, holding a knife (chaku) in his right hand and inflicting stab injuries upon his daughter. Upon hearing the screams, the complainant's wife also reached the spot. On the complainant raising an alarm, the accused fled from the spot towards the fields carrying the weapon. Gurmanjot Kaur collapsed in the verandah of the cattle shed, having sustained multiple stab injuries on her left arm, chest and near the front and back of her neck. She succumbed to the injuries at the spot. The complainant states that after leaving his mother to look after the body of the deceased, he proceeded towards the police station along with Dilbagh Singh, son of Gurmail Singh, resident of Village Chimna, to report the matter. However, they were met by the police party near the gate of Rani Tej Kaur of the village, whereupon the complainant's statement was recorded. The motive behind the occurrence is that the deceased had earlier informed the informant that when she attended an IELTS course, the accused used to follow and harass her. Despite repeated attempts by the deceased to dissuade him, the accused allegedly continued to harass her. On the basis of the aforesaid statement, the informant sought legal action against the accused.

3. Learned Counsel appearing on behalf of the petitioner *inter alia* raises the following arguments:-

i. That the petitioner has remained custody for a period of 2 years and 5 months and that he had an affair with the daughter of the complainant.

He submits that it appears to be a case of honor killing wherein the petitioner

has been falsely implicated.

ii. He further contends that as per the opinion of the doctor, the injuries in question may have been caused with multiple weapons but only one weapon has been recovered at the instance of the petitioner.

iii. He further contended that the father of the petitioner had initially asserted that he was an eye witness to the occurrence, however, during the course his testimony, he stated that he had reached the spot only after the incident in question had already taken place. Hence, it is not a case resting directly on an eye-witness account, as initially projected but is instead based on circumstantial evidence.

4. Counsel for the respondent-State, on the other hand, contends that the deceased sustained as many as four injuries around the neck region, all inflicted by the same weapon. It is contended that the narrative now sought to be projected by the petitioner is a concocted afterthought and constitutes nothing more than a line of defence adopted belatedly. He further contends that the theory of honour killing was never raised by the petitioner at any earlier stage of the proceedings and that no objection whatsoever was lodged with respect to the investigation at any point of time. It is further contended that the weapon used in the commission of the offence has been recovered at the instance of the petitioner which linked the petitioner to the commission of the offence. She further contends that 05 witness have already been examined and 02 witnesses have been given up out of a total 16 witnesses relied upon by the prosecution.

5. I have heard learned counsel appearing on behalf of the respective parties and taking in consideration the submission advanced by the petitioner.

6. At this stage, it cannot *prima facie* be perceived that there is an inordinate delay in conclusion of the proceedings. It is further noticed that the petitioner is not a person with clean antecedents, inasmuch as he is also stated to be involved in another criminal case registered under the NDPS Act vide FIR dated 15.04.2025. Further, the weapons used in the commission of offence has been recovered at the instance of the petitioner which *prima facie* reflects the participation of the petitioner in the commission of the offence. The nature, seat and gravity of injuries sustained by the deceased are also required to be considered at this juncture, details of which are extracted as under:-

“1. An incised wound measuring 2 CM x 1 CM present on left anealor region.

2. An incised wound oval shaped measuring 1.5 CM x 4 CM deep present 1 CM below left nipple.

3. An incised wound measuring 4 CM x 8 CM x 5 CM present on len side of abdomen 10 C from Umbillicus perforation of small intestine seen.

4. An incised wound measuring 1.5 CM X 7 CM x 4 CM deep present on left Hypochondrial region.

5. An incised wound measuring 2 CM x 2 CM present in front of neck.

6. An incised wound measuring 2 CM x 2 CM present 8 CM below left ear,

7. An incised wound measuring 2 CM x 1 CM x 4 CM deep present 2 CM below left pinna,

8. *An incised wound measuring 3 CM x 1 CM x 5 CM deep present over the back of neck Externalizing from occipital region.*

9. *An incised wound measuring 3 CM x 2 CM x 5 CM deep present over the lower border of neck.*

10. *An incised wound measuring 4 CM x 1 CM X 4 CM present on the back of neck in the middle.*

11. *An incised wound measuring 2 CM x 2 CM x 3 CM present above the injury No. 10.*

12. *An incised wound measuring 2 CM x 1 CM x 3 CM present between 10 & 11 number injuries.”*

7. It is evident from the perusal of the aforesaid that all the injuries were inflicted in and around the vital part of the body and the weapon of offence was already put to the attending doctor. The weapon so recovered from the petitioner bears the similarity with the injuries that have been sustained. In such circumstances, a mere probable theory, sought to be advanced at this stage, cannot be perceived as an ultimate line of defence. The petitioner is the sole accused in the present case and his probable theory regarding honour killing is not substantiated from any evidence which is placed on record and it is, at best, a line of defence to be tested during trial and cannot be accepted at this stage.

8. Finding no merit, the present petition is dismissed.

JANUARY 09, 2026

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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