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

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Date of decision :18.03.2026

SEWA SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ankur Mittal, Sr. Advocate with
Ms. Kushaldeep Kaur, Advocate
Mr. Siddhanth Arora, Advocate and
Mr. Sakal Sikri, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. K.B. Raheja, Advocate
for the complainant.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case DDR No.0002 dated 16.09.2023 (Annexure P-2) registered under Sections 307,323,336,148,149 and Sections 25, 54, 57 and 59 of Arms Act at Police Station Fatehgarh Panjtoor, District Moga in FIR No.0056 dated 15.09.2023 (Annexure P-1) registered under Sections 452, 323, 506, 427, 336, 148, 149 IPC at Police Station Fatehgarh Panjtoor, District Moga.

2. The learned Senior counsel for the petitioner contends that the petitioner was found to be innocent. However, he has been

summoned under Section 190 Cr.P.C. In terms of the order dated

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24.12.2025, he has been directed to join investigation. He has appeared before the concerned Court and has been granted the concession of interim anticipatory bail. He, therefore prays that his interim bail be confirmed.

3. On the other hand, the learned State counsel admits that the petitioner was exonerated during the course of investigation and has been summoned to face trial under Section 190 Cr.P.C.

4. The learned counsel for the complainant contends that the petitioner has been exonerated only after he had joined a particular dispensation in the State of Punjab. Therefore, his exoneration is bad and therefore, the anticipatory bail granted to him is liable to be dismissed.

5. I have heard the learned counsel for the parties.

6. On 24.12.2025, the following order was passed:-

“Petitioner, who is accused in DDR No.0002 dated 16.09.2023 registered against him and others (arising out of FIR No.0056 dated 15.09.2023), for commission of offences punishable under Sections 307,323,336,148,149 IPC and Section 25,54,57,59 of Arms Act registered at P.S Fatehgarh Panjtoor, District Moga, has filed the instant petition, praying for grant of pre-arrest bail.

Relevant facts as emerging from the documents on record be noticed hereinbelow:

In the late evening of 14.09.2023, on receipt of ruqa from the hospital regarding admission of injured, police officials arrived at the hospital and sought permission of the Doctor on duty to record the statement of Gurjeet Kaur, who had suffered four injuries (all of which have since been declared as ‘Simple in nature). Even though Doctor had opined her fit, she did not get her statement recorded on the



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same evening. Rather, her husband Jarnail Singh filed a complaint on 15.09.2023 levelling serious allegations against Gurjeet Kaur, her brother Gurmit Singh and others. Consequently, a formal case vide FIR No.0056 dated 15.09.2023 was registered against Gurmit Singh, Gurjeet Kaur and others under Sections 452, 323, 506, 427, 336, 148, 149 IPC.

In his statement, Jarnail Singh alleged that he was married to Gurjeet Kaur in 2002. Due to temperamental differences their married life was not smooth. At about 5.15 pm on 14.09.2023, about 15-20 persons arrived at his residence, including brother of his wife namely, Gurmit Singh, all of whom were armed with baseball bats and sticks etc. They forcibly entered his house and unleashed an attack in which he was mercilessly assaulted and the household articles were badly damaged. In this incident, Jarnail Singh further alleged having suffered multiple injuries. Kiranpreet Kaur who had rushed to his rescue was also assaulted by accused person. Both the injured were rushed to the hospital.

At about 2.45 am on 16.09.2023, DDR No.0002 was registered at the instance of Gurmit Singh (brother of Gurjeet Kaur) against the present petitioner Sewa Singh, Mehal Singh, Beant Singh, Kiranpreet Kaur etc. Gurmit Singh in his complaint alleged that his brother-in-law Jarnail Singh and family members had been pressuring Gurjeet Kaur to consent to second marriage of Jarnail Singh, as the couple had only two daughters. When Gurjeet Kaur refused, she was assaulted and an attempt was made to forcibly administer poison to her. She resisted. Her in-laws were not successful. When he (Gurmit Singh, brother of Gurjeet Kaur) tried to intervene, gun shots were fired at him. He suffered serious injuries. It was further alleged by Gurmit Singh that the present petitioner caught hold of his sister and along with Kiranpreet Kaur and tried to force her



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to consume poison. He also gave 'dang' blows to her which hit on her left leg.

On the basis of said complaint, aforesaid DDR No.0002 dated 16.09.2023 was registered against the petitioner and others under Section 307 IPC. Police Authorities carried out investigation. Based on CCTV footage, IO arrived at a conclusion that petitioner, Mehal Singh and Beant Singh were not present at the spot. Resultantly, these three were declared innocent and were kept in column No.2. On culmination of investigation in case FIR No.0056, final report under Section 173 Cr.P.C was prepared against Sukhdev Singh and others.

It further emerges from the documents on record that being aggrieved of this act of the Investigating Officer, vide which the petitioner, Mehal Singh and Beant Singh were found innocent, complainant party (Gurmit Singh, Gurjeet Kaur and others) filed a petition bearing CRM-M55144-2024 requesting for independent investigation. Since the final report had already been prepared, aforesaid petition was disposed of with the liberty to the complainant party to pursue their remedy before the learned trial Court. Another petition bearing CRM-M-11359-2025 filed by Gurmit Singh and Gurjeet Kaur, was also disposed of, in terms of order dated 28.02.2025 vide which learned Magistrate was directed to consider all the reports and objections raised against the investigation while deciding application under Section 210 of BNSS.

Invoking the powers u/s 210 of BNSS, petitioner-Sewa Singh was summoned by the learned Magistrate (vide order dated 17.04.2025) to face trial for the commission of offence punishable under Section 307,323,336,148,149 IPC and Section 25 of the Arms Act along with Jarnail Singh, Kiranpreet Kaur, Mehal Singh and Beant Singh. The aforesaid order was assailed by the petitioner and others vide CRM-M-50403-2025 wherein notice of motion was issued (Annexure P-14).



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Learned Senior counsel for the petitioner submits that in the factual backdrop of the case as stated hereinabove, it is clear that the petitioner has been falsely implicated. CCTV footage collected from the site indicates that the petitioner was not present at the site. For the said reason, he was kept in column No.2. Further, the falsity of the case set up by the complainant party, namely, Gurmit Singh is apparent from the fact that though Gurjeet Kaur, who had suffered only simple injuries in the incident was opined 'fit' by the treating Doctor, however for reasons best known, when the police Authorities reached at the hospital, she did not lodge any complaint. Rather, Jarnail Singh was the first to get criminal proceedings initiated by lodging FIR No.56 dated 15.09.2023 against Gurmit Singh and Others u/s 452, 323, 306, 336, 427, 148, 149 IPC. Only as a counter blast thereto and with a view to level scores with Jarnail Singh and his family members, DDR No.0002 dated 16.09.2023 was lodged by giving an exaggerated and colored version. Further, no material was placed on record to prove that gun shots had been fired.

The next leg of submission raised by learned Senior counsel for petitioner is that even if for the sake of arguments the story as putforth by the complainant is taken to be true at its face value (though not admitted), the only role attributed to the petitioner is that he caught hold of the sister of the complainant forced her to gulp down poisonous substance and gave dang blows on her left leg. Learned counsel contends that in the factual scenario as mentioned above, nothing is to be recovered from the petitioner, who is, nonetheless ready and willing to join investigation as and when called upon to do so.

Notice of motion for 31.01.2026.

Mr. Kamalpreet Bawa, DAG, Punjab, accepts notice on behalf of respondent-State and seeks time to file detailed status report.



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Mr. K.B. Raheja, Advocate accepts notice on behalf of the complainant. Learned counsel for the complainant has filed detailed reply dated 23.12.2025 opposing the request for grant of anticipatory bail. It is the submission of learned counsel that petitioner and other accused are influential persons and are very close to local MLA. On 15.09.2024, they had joined Aam Admi Party and had exerted pressure on the investigating officer, who as a consequence thereof gave a false report that the accused party did not participate in the incident. Continuing further, learned counsel contends that Gurjeet Kaur (sister of complainant Gurmit Singh) had been married to Jarnail Singh about 20 years ago. The couple is blessed with 2 daughters but neither Jarnail Singh nor his family members were happy as they had been wanting a male child to inherit the property.

It is further the submission of learned counsel that Jarnail Singh had developed illicit relation with Kiranpreet Kaur. When this fact came to the notice of Gurjeet Kaur, she objected to the same. Number of Panchayats were convened to amicably resolve the dispute, but to no avail. In furtherance of well thought of plan, the accused party including the present petitioner forced Gurjeet Kaur to consume poison and when she resisted, she was assaulted. Jarnail Singh and Kiranpreet Kaur tried to strangle her, whereas petitioner gave 'dang' blows to her on her left leg. The lady was in a state of shock when she was rushed to the hospital as was her brother, who had suffered gun shots injuries. Even though the first aid medical treatment was provided to her and her brother in the Civil Hospital but seeing his delicate medical condition, he was referred to Super Speciality Hospital. Learned counsel also referred to the MLRs appended with the reply as Annexures R-6 and R-7. Based on the aforesaid submission, learned counsel contends that the enquiry in which petitioner was declared innocent is totally one sided, deserves not to be relied upon. Considering the entire



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documents, the learned trial Court rightly summoned petitioner and others. In the factual scenario, no case for grant of pre-arrest bail is made out.

Heard.

In view of the submissions advanced by learned counsel for the petitioner, taking note of the documents appended along with petition as also considering that one of the similarly situated accused Mehal Singh has been granted the concession of interim anticipatory bail, but without further adverting to the merits of the case, the present petitioner who was also summoned by learned Magistrate by invoking powers u/s 210 BNS, is hereby directed to join investigation within seven days from today and cooperate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.”

7. In deference to the aforementioned order, the petitioner has appeared before the concerned Court and has been granted the concession of interim anticipatory bail.

8. In view of the above, the bail granted to the petitioner is confirmed subject to furnishing fresh bail bonds and surety bonds to the satisfaction of the Trial Court.

9. Disposed of.

(JASJIT SINGH BEDI)
JUDGE

18.03.2026

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No