



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

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**CRM-M No.73212 of 2025
Date of decision : 12.1.2026
Date of uploading : 13.1.2026**

Sultan Singh**Petitioner**

Versus

State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. KBS Mann, Advocate, for the petitioner

Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.66 dated 30.4.2025 under Sections 103(1), 126(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Harpal Singh son of Jarnail Singh resident of village Ballamgarh District Sri Muktsar Sahib aged about 63 years mobile number 98724-21634 stated that I am resident of above said address and doing the work of agriculture. I have two daughters who are married and I one son namely Jagdeep Singh who is unmarried. On dated 28.04.2025 Gurnoor Kaur daughter of Balwinder Singh alias Bindu son of Sultan



Singh resident of Ballamgarh after school hours was coming in the street she was accompanied by one boy who were doing wrong acts with each other in the street. Then my son Jagdeep Singh said that you have spoil the atmosphere which is having bad effects on the children of the village. So Gurnoor Kaur felt very bad about this thing and narrated about this at her home. With regard to this matter today the Panchayati decision was to be taken in the house of Sarpanch of the village. In this regard my son Jagdeep Singh on his riding on his motor cycle make Hero Honda Deluxe black color bearing registration number PB-60-C-1766 was going to call the respectables persons of the village. Then at about 8:30 AM when my son Jagdeep Singh reached near the house of Acchhar Singh Advocate there Balwinder Singh alias Binnu, Gagandeep Singh alias Gagna sons of Sultan Singh and Sultan Singh son of Nikku Singh residents of Ballamgarh alongwith their weapons were standing there who stopped my son Jagdeep Singh in the street then in the meantime Balwinder Singh alias Binnu, Gagandeep Singh alias Gagna inflicted stick blow upon my son Jagdeep Singh which hit him on his back so my son fell down and Sultan Singh caught hold of the arms of my son then Balwinder Singh alias Binnu inflicted kirch blow from its front side on his neck while my son was lying down. Then my son raised hue and cry then Hardeep Singh son of Jagseer Singh and Gurbinder Singh son of Chamkaur Singh residents of village Ballamgarh rescued my son from abovesaid persons and upon seeing the gathering of other people then these abovesaid persons ran away from the spot alongwith their weapons. Then we after arranging the vehicle were taking my son for treatment to Civil Hospital Sri Muktsar Sahib and my son passed away on the way. So we kept the dead body of my son in the mortuary of Civil Hospital Sri Muktsar Sahib. Motive behind the occurrence is that Gurnoor Kaur daughter of Balwinder Singh alias Binnu son of Sultan Singh resident of Ballamgarh was coming in the street after school timings and she was accompanied by a boy who was doing indecent acts in the street then my son Jagdeep Singh told them that you have spoiled the atmosphere which is having bad effects on the children of the village. So Gurnoor Kaur felt very bad about this and narrated this at her home due to this grudge Balwinder Singh alias Binnu, Gagandeep Singh alias Gagna sons of Sultan Singh and Sultan Singh son of Nikku Singh residents of village Ballamgarh after conspiring with each have committed the murder of my son. Necessary legal action may kindly be taken against



Balwinder Singh alias Binnu, Gagandeep Singh alias Gagna sons of Sultan Singh and Sultan Singh son of Nikku Singh residents of village Ballamgarh. I have got my statement recorded heard it to be correct. Sd/- Harpal Singh (abovesaid), verified by Sd/- Hardeep Singh son of Jagseer Singh resident of village Ballamgarh District Sri Muktsar Sahib mobile number 98761-52156 Attested Sd/- Malkeet Singh Inspector Station House Officer Police Station Sadar Sri Muktsar Sahib dated 30.04.2025.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 1.5.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question only on account of his being father of the main accused Balwinder Singh, who is alleged to have caused *kirch* blow to the deceased. Learned counsel has further submitted that the prosecution version available at this juncture is taken to be correct, the role attributed to the petitioner is of catching hold of the deceased. Learned counsel has further submitted that the petitioner is 71 years old and it is not practicable to catch hold of a younger man of 21 years of age. Learned counsel has further submitted that the petitioner is not keeping good health and is suffering from age related issues. Learned counsel has further iterated that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.1.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the



available records of the case.

6. The petitioner was arrested on 1.5.2025 wherein after investigation was carried out and challan stands presented on 31.7.2025. Total 26 prosecution witnesses have been cited and it is not in dispute that none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 10.1.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 7 months and 26 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or



- documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
 - (iv) The petitioner shall not commit any offence while on bail.
 - (v) The petitioner shall deposit his passport, if any, with the trial Court.
 - (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
 - (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.1.2026
Ashwani

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