IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(107)

CRM-M-54345-2025
Date of decision: 10.09.2026

SUKHPREET SINGH ALIAS BUDDHA **... Petitioner**

VERSUS

STATE OF PUNJAB **...Respondent**

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Agnihotri, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

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JASJIT SINGH BEDI, J.

The prayer in this first petition under Section 483 of BNSS, 2023 (Section 439 Cr.P.C.) is for the grant of regular bail to the petitioner in case bearing FIR No.83 dated 09.09.2016 (Annexure P-1) registered under Sections 307, 411, 472, 34 of IPC and Section 25 of Arms Act, 1959, at Police Station Phul, Bathinda.

2. The brief facts of the case are that the instant FIR was registered wherein it is averred that on 9.9.2016 SI Tarjinder Singh received a secret information to the effect that Davinder Singh alias Shooter along with his companions Jagtar Singh alias Tara and Budha armed with deadly weapons are staying at Dhani of Kuldeep Singh and if a immediate raid is conducted, they can be apprehended along with deadly weapons. The information being reliable, SI Tarjinder Singh contacted SP (Investigation), Bathinda and gave entire information to him, who sent the Police Officials to conduct the raid.

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When the police party was going to PS Phool via Gill Road, then one white coloured Honda City car was seen coming from the side of "Kuldeep Singh Thandu di Dhani". The above said car came in front of the vehicles of the police, and the car occupants started firing at the police party. The police party warned them not to fire but to no effect. Then the police party also started firing upon which all the three occupants of the car ran towards different directions. Out of them one person ran towards the fields and hid himself and with intent to kill the police party, started firing in which the said person got injured and was apprehended by the police. One pistol was recovered from him. On inquiry, he disclosed his name as Davinder Singh alias Shooter, and the persons who ran away from the spot, disclosed their names as Jagtaar Singh alias Tara and Kuldeep Singh alias Thandu. Against the above said persons, case FIR under Sections 307, 34 IPC and 25,27,30/54/59 Arms Act was registered and ruqa was sent to the Police Station. Accused Davinder Singh was admitted in the Civil Hospital, Bathinda for treatment. Recovery (from the spot) was effected. Investigation was conducted.

2. During the course of investigation SI Jagroop Singh along with other police party was going towards "Kuldeep Singh di Dhani", from where they apprehended the another accused namely, Kuldeep Singh alias Thandu, from whom one pistol was recovered.

3. The search of the third person, who ran away in the fields, was conducted by the police party in the nearby areas after encircling the area. When the police party was searching the accused in the area of village Buraj

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Manshahia then one person came out of the fields, who was having pistols in his both hands and with intent to kill the police party he fired towards police party. Then he ran away towards one room, meant for a motor and kept on firing towards the police with intent to kill them. The police party also started firing, due to which that person got injured. That person was apprehended by the police and on inquiry, he disclosed his name as Jagtar Singh alias Tara.

4. Accused Davinder Singh alias Shooter who was got admitted in Civil Hospital, succumbed to his injuries. His post-mortem was got conducted from Civil Hospital Bathinda. During investigation, Jagtar Singh accused disclosed that Honda City car was snatched by them and fake number plate was placed. During investigation, it was found that regarding snatching of above said car, FIR No.34 dated 10.05.2016, under Sections 382/34 IPC and 25 Arms Act was already registered at PS Thermal, Bathinda. On the basis of disclosure statement under Section 27 of Evidence Act of the accused persons, recoveries were effected. Investigation was conducted and offence under Sections 465, 568, 471, 474 IPC was enhanced vide Rapat No.28 dated 29.09.2016. Challan against accused Jagtar Singh alias Avtar Singh alias Tara Singh and Kuldeep Singh alias Thandu was presented in the Court.

5. Petitioner Sukhpreet Singh Dhaliwal @ Buddha was arrested on 05.03.2020, in case FIR No.68 dated 17.06.2018, under Sections 302, 34, 120 IPC and under Sections 25, 27 Arms Act. Accused Sukhpreet Singh Dhaliwal @ Buddha suffered a disclosure statement under Section 27 of Evidence Act and on that basis, accused Sukhpreet Singh Dhaliwal @ Buddha was nominated in the present case on 11.03.2020 vide Rapat No.28 and was

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arrested on 12.03.2020. The completion of the investigation was followed by submission of supplementary police report U/s 173(8) Cr.P.C. against the accused Sukhpreet Singh @ Budha in the Court.

6. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be correct, he is a supplier of weapons. The co-accused of the petitioner, namely Kuldeep Singh @ Thandu and Jagtar Singh @ Avtar Singh @ Tara Singh, have been granted the concession of bail vide orders dated 16.03.2017 and 21.10.2019 respectively. As the petitioner is in custody since 12.03.2020 but 12 prosecution witnesses are yet to be examined, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

7. The learned counsel for the respondent-State, on the other hand, while referring to the reply dated 05.08.2026 (already on record) contends that the petitioner is a serial offender and is an accused in as many as 44 cases. Out of these, he has been convicted in 06 cases, acquitted in 14 cases, discharged in 01 case, and is an undertrial in 23 cases. There is every possibility that he would flee from justice in case he is granted the concession of bail. Therefore, the present petition is liable to be dismissed.

8. I have heard the learned counsel for both the parties at length.

9. The relevant extract of the status report dated 05.08.2026, filed by the State Counsel, is as under:-

> *"**8. <u>CRIMINAL ANTECEDENTS:</u>***
>
> *That as per the record, except the present FIR, the petitioner has been arraigned as an accused in following*

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FIRs :-

i. FIR No. 8 Date 20/03/2011 u.s 25 Arms Act, 302,34 IPC PS Badhni Kalan, Moga Convicted.

ii. FIR No. 15 Date 12/01/2017 u.s 302,307,148,149,506, 120-B,34 IPC, 25 Arms Act PS Sadar Dabwali

iii. FIR No. 13 Date 08/02/2017 U.s 382,34 IPC, 25/54/59 Arms Act PS City Raikot - Acquitted

iv. FIR No. 111 Date 29/07/2017 U.s 302,120-B,34 IPC, 25 Arms Act PS Jaito – Acquitted

v. FIR No. 140 Date 05/10/2017 U.s 382,473,506,34 IPC, 25 Arms Act PS Sirhind - Acquitted

vi. FIR No. 188 Date 15/11/2017 u.s 394,506,412,34 IPC, 25 Arms Act PS Sarabha Nagar - Under Trial

vii. FIR No. 262 Date 10/12/2017 U.s 412 IPC, 25 Arms Act. PS Chhachrouk - Under Trial

viii. FIR No. 194 Date 14/12/2017 U.s 25 Arms Act, 307,34,120-B IPC PS Nehal Singh Wala-Under Trial

ix. FIR No. 156 Date 22/12/2017 U.s 25 Arms Act, 392,384,382,379-B,473,506,212,216,148,149 IPC, 22,29 NDPS Act PS Shambhu - Under Trial

x. FIR No. 232 Date 07/03/2018 u.s 25 Arms Act, 394,399 IPC PS City Thanesar - Acquitted

xi. FIR No. 30 Date 13/03/2018 u.s 387,427,435,506,120-B IPC PS Nehal Singh Wala. - Acquitted

xii. FIR No 64 Date 14/04/2018 u.s 25,27 Arms Act, 307,148,149,440,473,216,201,120-B IPC PS Phase-1 SAS Nagar Under Trial

xiii. FIR No. 89 Date 16/04/2018 u.s 25 Arms Act, 302 IPC PS Chandimandir - Convicted

xiv. FIR No. 59 Date 01-06-2018 u.s 387,506,201,120-B

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IPC PS Phase-8- Acquitted

xv. FIR No. 68 Date 17/06/2018 u.s 302,34 IPC, 25,27 Arms Act PS Phul - Acquitted

xvi. FIR No. 233 Date 14/12/2018, u/s 302 IPC, 25/27 Arms Act PS Nehal Singh Wala - Acquitted

xvii. FIR No. 483 Date 01/01/2019 U.s 307,353,323,34 IPC, 25 Arms Act PS Garoth MP

xviii. FIR No.62 Date 17/03/2019 u.s. 384, 387 IPC PS Sector 36 Chandigarh.

xix. FIR No.29 Date 11/05/2019 U.s. 307, 424, 336, 120-B IPC, 25 Arms Act PS Nayan Gaon SAS Nagar – Under Trial

xx. FIR No.78 Date 29/05/2019 u.s. 174-A IPC PS Nehal Singh Wala – Convicted

xxi. FIR No.166 Date 20/07/2019 U.s. 307, 116, 506, 341 IPC, 13 UAPA Ps City Kharar – Under Trial

xxii. FIR No.103 Date 30.10.2019 u.s 8/9 The Punjab Good Conduct Prisoners (Temporary) Release Act, 1952 PS Badhni Kalan – Convicted

xxiii. FIR No.117 Date 30.10.2019 u.s. 307, 387, 34, 120-B IPC, 25, 27 Arms Act PS Daresi – Under Trial

xxiv. FIR No.154 Date 07/11/2019 u.s. 25, 27 Arms Act PS Sadar Kotkapura-- Under Trial

xxv. FIR 150 Date 10.12.2019 u.s. 25 Arms Act PS Phase 8 – Acquitted

xxvi. FIR No. 105 Date 19.12.2019 u.s. 25 Arms Act PS Nayan Gaon

xxvii. FIR No.173 Date 17.02.2020 u.s. 307, 353, 332, 34 IPC & 25, 27 Arms Act PS Garoth

xxviii. RC/07/2020 NIA Date 22.02.2020 u.s. 4/5 Explosive Substances Act, 120-B IPC, 17, 18, 18B, 20 UAPA Delhi

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xxix. FIR NO.40 Date 17.03.2020 u.s. 302 IPC PS Maloya –Under Trial

xxx. FIR NO.23 Date 19.03.2020 u.s. 25 Arms Act PS Badhni Kalan – Acquitted.

xxxi. FIR No.102 Date 01.05.2020 u.s 52A Prison Act PS City Sangrur – Convicted

xxxii. FIR No.316 Date 10.09.2020 u.s 174-A IPC PS Chandimandir –Discharged

xxxiii. FIR No.185 Date 11.10.2020 u.s. 25, 27 Arms Act, 302, 34, 120-B IPC PS Iindustrial Area Phase-1 – Acquitted

xxxiv. FIR No.276 Date 20.11.2020 u.s 384, 506, 120-B IPC PS City South Moga

xxxv. FIR No. 298 Date 26.11.2020 u.s. 174-A IPC PS Chhachrouli

xxxvi. FIR No.1 Date 27.01.2021 u.s 25 Arms Act, 384, 120-B IPC PS SSOC Mohali.

xxxvii. FIR No.31 Date 17.04.2021 u.s 25 Arms Act, 392, 395, 384, 465, 467, 468, 471 IPC, 21, 22, 29 NDPS Act PS Kurali

xxxviii. FIR No.276 Date 20.11.2021 u.s 384, 506, 120-B IPC PS City South Moga –Acquitted

xxxix. FIR No.87 Date 08.12.2021 u.s 25 Arms Act, 302, 34, 120-B IPC PS Morinda. – Acquitted

xl. FIR No.129 Date 23.08.2022 u.s 353, 186, 506, 427, 216 IPC PS Cantt – Convicted

xli. RC/38/2022/NIA Date 26.08.2022 U.s 120-B IPC, 18B, 20 UAPA Delhi

xlii. FIR No.184 Date 05.12.2022 U.s 25/54/59 Arms Act, 384, 120-B IPC PS Sirhind – Under Trial

xliii. FIR No.12 Date 31.01.2024 U.s 25 Arms Act, 3-07, 384, 506, 427, 34, 120-B IPC PS Mullan Pur

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xliv. FIR No.278 Date 23.06.2024 u.s 25 Arms Act PS Chandimandir. – Under Trial.

As such out of aforementioned 44 FIRs, the petitioner is convicted in 6 cases, acquitted in 14 cases, discharged in 1 case and is under trial in 23 cases."

10. Keeping in view the fact that the petitioner has criminal antecedents, there is every possibility that he would abscond from justice in case he is granted the concession of bail.

11. In view of the above, I do not deem it appropriate to grant him the concession of bail. Therefore, the present petition stands dismissed.

12. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

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

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