



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

**CRM-M No.14970 of 2025
Date of Decision: 15.05.2025**

Bhura Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Madhur Singh, Advocate
for the petitioner.

Mr. J. S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.131, dated 16.07.2022, under Sections 302, 341, 506, 34, 120-B of IPC, registered at Police Station Lehra, District Sangrur.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Makhan Singh. It was alleged that brother of the complainant, namely, Gurdeep Singh had left his home on 15.07.2022 at around 05:30 P.M. on his motorcycle to go to the paddy fields. However on 16.07.2022, when he was going on tractor in the morning through his fields, he saw number of people gathered there. He stopped and the people standing



there told him that they found the motor-cycle and dead body of his brother, Gurdeep Singh (deceased) lying there. The complainant saw that his brother had suffered severe injuries on his head, stomach and other parts of the body with sharp edged weapons. It was alleged that during the election of Sarpanch of the Villge, his brother Gurdeep Singh (deceased) had heated arguments with Jasvir Singh and Jarnail Singh and thus, they had a grudge against his brother Gurdeep Singh. Because of the same, his brother was murdered by Jasvir Singh, Jarnail Singh and unknown persons in conspiracy with each other. The request was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus he was arrayed as an accused in the present case. The petitioner was arrested on 17.07.2022. The petitioner approached the Court of learned Additional Sessions Judge, Sangrur praying for the grant of bail. However, after hearing both the sides, the same was declined vide order dated 07.02.2025. Hence being aggrieved, the petitioner has approached this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He refers to Annexure P-3, i.e. copy of Special Campaign of Old Prisoners and Terminally Ill Prisoners and submits that the petitioner is about 83 years of age and the National Legal Services Authority has launched a special campaign to identify and secure the release of prisoners aged above 70 years and prisoners with terminal illness. He



has submitted that the petitioner has been roped in the present case on the basis of supplementary statement given by the complainant. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 17.07.2022, however, there is no progress in the trial. He has submitted that co-accused of the petitioner, namely, Jarnail Singh @ Jaila, has already been granted bail by this Court vide order dated 14.05.2025 passed in CRM-M No.19205 of 2025. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail on parity.

4. Status report dated 04.05.2025 by way of an affidavit of Deepinderpal Singh, PPS, Deputy Superintendent of Police, Sub Division, Lehra, District Sangrur on behalf of the respondent-State has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that the petitioner has been specifically named by the complainant in his supplementary statement. He has submitted that there are serious allegations against the petitioner regarding the murder of brother of the complainant. He has endorsed the contention raised by learned counsel for the petitioner that co-accused, namely, Jarnail Singh @ Jaila has already been granted bail by this Court vide order dated 14.05.2025 passed in CRM-M No.19205 of 2025. He has placed on record custody certificate of the



petitioner dated 14.05.2025 and submits that the petitioner is involved in 02 other cases, out of which, he has been convicted in one case and in other, he is on bail. He, on instructions, has submitted that out of 29 prosecution witnesses, only 03 witnesses have been examined so far.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that name of the petitioner has been surfaced on the supplementary statement made by the complainant. As per the custody certificate, petitioner has suffered incarceration of 02 years 06 months and 24 days as on 14.05.2025. It further reflects that the petitioner is involved in 02 other cases, out of which, he has been convicted in one case and in other, he is on bail. Out of 29 prosecution witnesses, 03 witnesses have been examined till date. Admittedly, co-accused of the petitioner, namely, Jarnail Singh @ Jaila has already been granted bail by this Court vide order dated 14.05.2025.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.



Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

15.05.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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