



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236

CRM-M-51197-2024
Date of decision: 26.08.2025

Iqbal Singh @ Mantu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Pradeep Panwar, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.124 dated 26.06.2019 under Section 307 of the IPC (Section 302 of the IPC added lateron) registered at Police Station Dehlon, Ludhiana.

2. Learned counsel for the petitioner submits that in a case of apparent false implication the petitioner has now been in custody for more than 06 years having been arrested on 04.07.2019 for murdering his own wife Amandeep Kaur inside their house. Learned counsel has submitted that as per the case of the prosecution the petitioner inflicted fatal injury on the head of his wife with a club; both the material witnesses i.e. the children of the deceased as well as the petitioner, did not support the case of the prosecution as a result of which they both were declared hostile. It has been further submitted that the complainant (brother of the deceased) appeared before the learned Trial



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Court to get his evidence recorded on 05.08.2022, however, ever since then he had been continuously absenting himself as a result of which the trial had not proceed and there was no likelihood of the same concluding in the near future. Learned counsel has, therefore, prayed that in the aforementioned facts and circumstances moreso when the petitioner has no previous criminal antecedents, he be extended the concession of regular bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he, on instructions, disputed that both the material eyewitnesses had been declared hostile during trial; the complainant had failed to get his evidence recorded after 05.08.2022 as a result of which the learned Trial Court had been adjourning the case repeatedly. It has also been submitted on instructions that a total of 05 prosecution witnesses stand examined with 03 having been given up; 15 remaining to be examined. It has also been submitted that the next date fixed before the learned Trial Court is 06.09.2025. However, learned State counsel has reiterated the allegations levelled in the FIR which stand reproduced hereinunder:-

“I Balwinder singh S/o Amarjit Singh R/o Village- Jodha, district Ludhiana, aged about 30 years mobile No.8872331198. Statement that I am the resident of above said address, and doing stretching work. We are two brothers and two sisters my both the sisters have married, my younger sister Amandeep kaur married with Iqbal Singh son of Karnail Singh, resident of Dehlon earlier 14 years. My sister has one boy and one daughter, my Bhanja Hoslite Gurbir Singh, aged about 13 years, Bhanji Varinder Kaur, aged about 12 years. After marriage, my



brother-in-law Iqbal Singh started beating my sister Amandeep Kaur. Earlier, the matter was compromised in panchayat, due to which Iqbal Singh behaved in good manner for some days, but thereafter, he again had been beating my sister Amandeep Kaur. On 25.06.2019, my sister Amandeep Kaur told me that Iqbal Singh is beating her, due to which he alongwith his cousin Gurpreet Singh went to the house of Amandeep Kaur and after persuading Iqbal Singh, they returned to home at about 9 PM. On 26.06.2019, my nephew (Bhanja) Gurbir Singh informed me telephonically that Iqbal Singh has given beating to Amandeep Kaur and Varinder Kaur and they have received multiple injuries and Uncle Avtar Singh had taken them for treatment. Me and Gurpreet Singh went to the house of Amandeep Kaur and enquired about matter and then he came to know that at about 3:30 AM, my brother in law Iqbal Singh with an intention to commit murder gave blows with Ghotna on the head of Amandeep Kaur and Varinder Kaur. After reaching at the civil hospital, Dehlon, he learnt that my sister and niece (Bhanji) have been referred at civil hospital, Ludhiana. His niece (Bhanji) Varinder Kaur is admitted in the civil hospital, Ludhiana, for treatment, whereas my sister Amandeep Kaur has been referred at Sobti hospital, Ludhiana, due to her serious condition.”

4. Learned State counsel has asserted that although both the eyewitnesses were declared hostile, however, it could be for reasons but obvious—they both being the children of the petitioner-accused as well as the deceased.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 04.07.2019. The trial has come to a virtual standstill on account of the repeated non-appearance of the complainant. All the material witnesses stand examined and did not support the case of the prosecution. Although the brother of the deceased is the author of the FIR, he is not a witness to the crime. Be that as it may, this Court deems it fit to extend the



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concession of bail to the petitioner as the trial is not likely to conclude in the near future.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

26.08.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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