



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

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**CRM-M-62873-2024
Date of decision: 09.07.2025**

Jagdeep Singh @ Deep

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
assisted by ASI Balwinder Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.55 dated 21.10.2023 under Sections 302, 201, 307, 326, 324, 323, 148, 149 of the IPC, registered at Police Station Kotfatta, District Bathinda.

2. Learned counsel for the petitioner submits that the petitioner has been languishing in custody since 25.10.2023 in a case of false implication. It has been further submitted that the petitioner's false implication in the instant FIR finds due credence from the fact that all the material witnesses including injured eye witness Ranjit Singh while stepping into the witness box during trial, had not supported the case of the prosecution as a result of which he was declared hostile. Learned counsel has also drawn the attention of this Court to Annexure P-4



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which is an order extending the concession of bail to similarly placed co-accused Shankay @ Rinku Singh and Pardeep Kumar @ Bali, who too were granted bail due to all the material witnesses turning hostile during trial. It has, therefore, been prayed by the learned counsel that in the aforementioned facts and circumstances moreso when 15 prosecution witnesses still remain to be examined, further incarceration of the petitioner would serve no useful purpose as the trial would take considerable time to conclude.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed that the occurrence in question is based on eye witness witness account; it has also not been disputed that all the material witnesses, including the complainant as well as the injured eye witness, were declared hostile during trial. However, the allegations levelled in the FIR, annexed as Annexure P-1, have been reiterated and stand reproduced hereinunder:-

“Statement of Gurdeep Singh son of Kartar Singh son of Gurbakhsh Singh, resident of Misarkhana, aged about 48 years. Mobile No. 75279-24900. Stated that I am resident of the above mentioned address and doing the work of agriculture. We are two brothers. Elder to me is brother Jagsir Singh. I am younger to him. My brother Jagsir Singh has two sons i.e. elder one is Amandeep Singh and younger one is Mandeep Singh. Both are married. Elder Amandeep Singh along with his family is residing separately from my brother Jagsir Singh. The age of Mandeep Singh would be approximately 25 years, who was married with Veerpal Kaur daughter of Major Singh, resident of Gobindpura. The divorce case of Mandeep Singh with his wife is pending before the Court. The fair of Durga Mata is held twice in a year in our village Maisarkhana. Even this time, the fair is of dated 19,20,21.10.2023. During previous night my nephew Mandeep Singh had gone to see the fair, then it would be



at about 1:50 AM, as when our neighbourer Manpreet Singh son of Pappu Singh came to me at house, who told me that some unidentified persons have inflicted injuries to Mandeep Singh alias Nikka, who is lying on Main Road on Bathinda Mansa Road Near Kisan Kularha Main Road. In this regard, I gave information to my brother Jagsir Singh and we immediately reached at the spot, where we saw that injuries had since been sustained with some sharp edged weapon on the backside of head, on right eyebrow of Mandeep Singh alias Nikka and the little finger of left hand and adjoining fingers of Mandeep Singh had since been cut, who had since been expired. Alongside we also saw that another youth was sitting on the side of the road while holding head, on whose head and fingers of left hand injuries were since sustained, subsequently whose name came to be known as Ranjit Singh son of Bhola Ram, resident of Alike, Police Station Sadar Ratia, District Fatehabad (Haryana). Huge gathering at the spot had since been taken place, then I by making call on No. 108 got called ambulance and we after loading both Mandeep Singh and Ranjit Singh in the ambulance, brought them to Civil Hospital, Bathinda, where the doctor declared Mandeep Singh as dead and started the treatment of Ranjit Singh. The dead body of Mandeep Singh is lying in the dead house of Civil Hospital Bathinda and Ranjit Singh is under treatment. Some unidentified persons have inflicted injuries to my nephew Mandeep Singh and Ranjit Singh, resident of Alike with the intention to eliminate with the sharp edged weapons, due to which the death of Mandeep Singh has taken place and Ranjit Singh is under treatment at Civil Hospital Bathinda. In this regard after conducting verification, stern action may be taken against the persons committing elimination of Mandeep Singh and causing Injuries to Ranjit Singh with the intention of elimination. In this regard we have also been conducting inquiry at our own level, if we get any clue, then we shall inform you in this regard. The statement has been got recorded to you, heard, the same is correct. Sd/- Gurdeep Singh above.”

4. Learned State counsel, on further instructions, has not disputed the custody period of the petitioner nor the stage of trial.
5. I have heard learned counsel for the parties and perused the material placed on record.
6. All the material witnesses, including the complainant and



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the injured eye witness, stand examined and admittedly were declared hostile. There can, therefore, be no apprehension of the petitioner intimidating/influencing any of the remaining witnesses. The trial would take considerable time to conclude as only 13 out of the 28 witnesses, have been examined till date. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

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.

09.07.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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