



222

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

**CRM-M No.44178 of 2024
Date of decision : 15.07.2025**

Rajat Singh**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. Anterpreet Singh, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., 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.236, dated 19.09.2023, under Sections 302, 34 of IPC, 1860 (wrongly mentioned as 307 IPC in impugned order), registered at Police Station Division No.5, District Ludhiana.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Pooja Devi, who is none other than the wife of deceased. It was alleged that her husband, namely, Pardeep Kumar, used to work in the Railway Station. He told her that Rajat (petitioner) used to threaten him to kill and hence her husband used to remain disturbed. On 17.09.2023, when her husband had gone for his duty, she was informed at about 12.30 P.M. by the employees from the Railway staff that Pardeep Kumar was badly injured and lying in the engine shed near Government School and thus was shifted to Civil Hospital,



Ludhiana. She along with the family members reached the Civil Hospital, Ludhiana and found her husband in a bad condition. Then he was referred to SPS Hospital and died during the treatment. The request was made to take the legal action against Rajat and unknown accomplices. On registration of the FIR, the investigation commenced. The petitioner was arrested on 22.09.2023. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Ludhiana declined the petition filed by the petitioner vide order dated 16.08.2024. Hence being aggrieved, the petitioner is before 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 has submitted that as per the allegations made, the petitioner was only suspected but there was no specific role attributed to the petitioner, rather the husband of the complainant was found lying in an injured condition, which was caused by unknown persons. He has submitted that there is no credible evidence produced by the prosecution against the petitioner except the disclosure statement of the accused and the recovery of *danda*, which is a planted recovery. He has submitted that the prosecution produced 02 witnesses, i.e. Sujan Kumar and Manjeet Malik showing them as the eye-witnesses. However both these witnesses have been produced before the learned trial Court as PW-1 and PW-2 and both of them have not supported the case of prosecution. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 20.09.2023 but the prosecution has not been



able to conclude the trial. He has submitted that the petitioner is not involved in any other case. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Status report dated 14.07.2025 by way of an affidavit of Gur Iqbal Singh, PPS, Assistant Commissioner of Police, Civil Lines, Ludhiana on behalf of the respondent-State along with custody certificate of the petitioner dated 14.07.2025 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 however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that the petitioner was specifically named in the FIR by the complainant. She has submitted that during the investigation, complicity of the petitioner was substantiated and the recovery of weapon, i.e. *danda*, was also effected from the petitioner. She however agrees to the fact that the eye-witnesses, i.e. PW-1 and PW-2, namely, Sujan Kumar and Manjeet Singh have not supported the case of prosecution. She, on instructions, has submitted that out of 20 prosecution witnesses, only 09 have been examined till date.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the present case on 22.09.2023. Though the prosecution produced 02 eye-witnesses as submitted by learned counsel for the parties, however both of them have not supported the case of prosecution. Out of 20 prosecution witnesses, 09 have been examined till date. Custody certificate produced would show that the



petitioner had completed incarceration of 01 year, 09 months and 17 days as on 14.07.2025. It further reveals that the petitioner has no criminal antecedents as he has never involved in any other case.

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 her 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.

15.07.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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