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

CRM-M-27303-2024 (O&M)

Reserved on : 08.07.2025

Pronounced on : 10.07.2025

Bachittar Singh @ Fateh Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Bhavesh Aggarwal, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed by the petitioner under Section 439 Cr.P.C., is for grant of regular bail in case bearing FIR No. 202 dated 10.10.2022, registered under Section 304-B of IPC (Section 304-B of IPC deleted and Sections 302 and 34 of IPC added later on) at Police Station City Jagraon, District Ludhiana.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of the statement recorded by complainant Kulwinder Kaur on the allegations that her elder daughter Manpreet Kaur @ Pooja was married with the present petitioner on 10.12.2018. A male child was born out of the said wedlock. On 17.03.2020, the petitioner had enticed away one Sukhjinder Kaur, daughter of Nirbhai Singh and had started residing with her at some place unknown to them. The daughter of the complainant had been residing with her child in a room in her in-laws house. She was being harassed by her in-laws and they were bent

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upon to throw her out of her matrimonial house. She was also being extended threats to her life by them. They used to ask the complainant to call his daughter back to her parental house and to get her married elsewhere. She alleged that on 04.10.2022, she came to know that her grandchild Jasmanveer was wandering in the street while wailing. On hearing so, she immediately made a call to her daughter but her phone was found to be switched off. They started making search for her daughter. On 10.10.2022, she came to know that an unidentified body was lying on the link road leading from village Aligarh to Malak. The dead body was identified as that of her daughter. While alleging that she had been killed by the petitioner and her in-laws, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. Post-mortem examination of the dead body of the victim and the inquest proceedings were conducted. Co-accused Karamjit Kaur, sister-in-law of the victim, was arrested on 12.10.2022. The present petitioner was also arrested on 18.10.2022. Offence under Section 304-B of IPC was deleted during the course of investigation and offence under Section 302 of IPC was added. Other co-accused were also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. No specific overt act has been attributed to him. He was residing separately from the victim since long and had no motive to kill her. Different stories had been projected at different stages of investigation by the complainant. No recovery has been effected from him.

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There is no direct evidence qua the murder of the victim. The investigating agency has failed to establish any incriminating circumstance connecting the petitioner with the offence of alleged murder of the victim. He is in custody since 18.10.2022. The conclusion of trial will take time. He has no criminal antecedents. His further incarceration would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner. He was husband of the victim and had left her at the mercy of his family members. He had motive to eliminate her. The material witnesses are yet to be examined. There are chances of his absconding or intimidating the witnesses, if released on bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record.

6. The petitioner along with the co-accused is alleged to have caused homicidal death of the victim, who was his wife and with whom he was having strained relations. He had extended threats to the complainant to the effect that the victim would be killed. He was living with some female other than his wife. The material witnesses are yet to be examined. Keeping in view the gravity of offences alleged to have been committed by the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances, I am of the considered opinion that the petitioner

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does not deserve to be given concession of regular bail, at this stage. Hence, the petition stands dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

10.07.2025

Wassem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No