



CRM-M-57961-2024 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117+223

CRM-M-57961-2024 (O&M)
Decided on : 21.07.2025

AMIT

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S. Nain, Advocate, and
Mr. Baljeet Nain, Advocate,
for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

SANJAY VASHISTH, J.CRM-27601-2025

1. Present application has been moved by the applicant/petitioner for placing on record the deposition of PW-1 to PW-5, as Annexures P-4 to P-8.
2. Considering the averments mentioned in the application, prayer made in the application is allowed and deposition of PW-1 to PW-5, are ordered to be taken on record as Annexures P-4 to P-8. Registry is directed to tag the same at the appropriate place on the file.
3. CM stands disposed of.

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1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a



criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Amit	144	06.07.2023	302, 120-B, 34 of IPC and Section 25 of Arms Act (Section 201 of IPC added and 120-B IPC deleted later on)	Alewa	Jind

2. The FIR was lodged at the instance of Bijender Singh, wherein it is alleged that his son Sukrampal Singh was having some monetary transactions with Kuldeep (co-accused of the petitioner), who is son of his sister-in-law Murti. It is alleged that on 03.07.2023, his son after taking an amount of Rs.30,000/- from the complainant went to meet his relatives. Later in the night, he received a call from his daughter Kanta, who said that she had received a call from Kuldeep informing her that Sukrampal Singh had sustained some injuries and that he (Kuldeep) was bringing Sukrampal Singh with him to Jind. Thereafter, the complainant also talked to co-accused namely Kuldeep, who also disclosed the same version to him regarding complainant's son having sustained injuries. However, after about 10 minutes, the complainant received a call from his 'Samdhi' Om Parkash, who disclosed to the complainant that Sukrampal Singh had died and that Kuldeep had left his body there. The complainant alleged that he and other members of the family strongly suspected that Sukrampal Singh had been murdered by



Kuldeep, on account of monetary transactions between them in connivance with Amit (petitioner herein), Raja and Mangal.

3. Learned counsel for the petitioner submits that allegations as levelled in the FIR are in fact based on mere suspicion and that there is no eye-witness to the alleged occurrence. It has further been submitted that the prosecution also banks upon a disclosure statement allegedly made by co-accused Kuldeep, whereas no sanctity can be attached to such like statement.

4. Counsel for the petitioner further submits that petitioner is in custody since 08.07.2023, and, although he has completed an incarceration period of more than two years, there is no specific allegation against him. Moreover, petitioner's name was neither mentioned in the FIR, nor anything substantial has been alleged against him by the witnesses who have appeared before the Court, other than raising mere suspicion. In support of this, counsel refers to the statements of PW-1 to PW-5, which have been placed on record today itself.

5. Additionally, co-accused Kuldeep has already been released on regular bail by the co-ordinate Bench of this Court, vide order dated 22.10.2024 passed in CRM-M-62856-2023. While Kuldeep's name was mentioned in the FIR, petitioner's name only emerged from the disclosure statement of Kuldeep. Therefore, petitioner's plea for bail stands on better footing, especially since no specific allegation has been made against him regarding causing injury with any particular weapon.

6. On the other hand, learned State counsel has filed custody certificate in the Court today and the same is taken on record.



7. Learned State counsel has informed that petitioner as on date has been behind bars since the last about 02 years and 11 days and otherwise is not involved in any other case.

8. This Court has considered rival submissions addressed before this Court.

9. It is not in dispute that there is no eyewitness to the alleged occurrence and case is based solely on circumstantial evidence. Petitioner has been in custody for a substantial period of approximately two years and eleven days, and conclusion of the trial is likely to take additional time. Under these circumstances, further detention of the petitioner would serve no useful purpose. Moreover, there is no specific allegation against the petitioner of causing injury with any particular weapon. Although the petitioner's culpability has yet to be determined and remains the subject of the trial, he cannot be kept behind bars indefinitely. **Accordingly, present petition is allowed.**

10. Consequently, petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



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independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

21.07.2025
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: ~~YES~~/NO