



CRM-M-57099-2024

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

111

**CRM-M-57099-2024
Decided on :15.10.2025**

Amritpal Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. R.M. Sharma, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in case FIR No. 0012 dated 01.02.2023, under Section 302, 34 IPC, registered at Police Station Anaj Mandi, District Patiala.

2. Reading the allegations, it appears that the FIR was registered by Rohit Mattu. Deceased in the case is Deepak Mattu, who was complainant's brother. Complainant, along with his brother Deepak Mattu (deceased) and all witnesses, namely Happy @ Harpreet Singh, Mintoo @ Atinderpal Singh, and other friends who were traveling in the i20 car—are residents of Morinda, District Rupnagar

On 01.02.2023, after receiving a WhatsApp call, the complainant's party, accompanied by the witnesses, arrived at an open



area in Patiala where the main accused-Mani, arrived on a motorcycle along with an unknown person. It is admitted that there were some financial dealings between the complainant, his brother Deepak Mattu (deceased), and the main accused-Mani. Getting annoyed, Mani proclaimed, “*today I will settle the account by paying you right here.*” Immediately thereafter, he pulled out a kirch (dagger) from his dub and struck into the left waist side of the deceased, Deepak Mattu, who fell on the ground after receiving the injury. Following this, accused Mani and his unknown companion fled from the spot.

3. By reading the allegations, counsel for the petitioner argues that petitioner is not named in the FIR. Even if it is assumed that the second unknown person mentioned in the FIR is none other than the petitioner, no role or injury has been attributed to him as having been caused to the deceased or any other person present at the scene. Therefore, counsel submits that it would be a moot question during the course of the trial whether or not the second companion of the main accused, Mani, had any knowledge of the incident or shared a common intention to cause the murder of Deepak Mattu.

Mr. R.M. Sharma, Advocate, further argues that the deceased was stabbed only once, and no repeated injury was inflicted. He also submits that while filing the final report, no kirch (dagger) was recovered; however, the weapon of the crime has now been changed to a chura (knife). Even the main accused, Mani, is only attributed with

**CRM-M-57099-2024****3**

delivering one blow with the weapon he was holding, and no second blow was inflicted by him.

Counsel further contends that despite petitioner's prolonged incarceration and the charges being framed on 04.07.2023, none of the material witnesses—namely, complainant Rohit Mattu, Happy @ Harpreet Singh, Minto @ Atinderpal Singh, or the other friends who accompanied the complainant in the i20 car from Morinda to the place of the incident in Patiala—have appeared to depose in the case. Moreover, since no specific role has been attributed to the petitioner, and the second unknown companion is not even alleged to have been armed, petitioner, who has now been challaned alongside the main accused as the second unknown companion and is in custody for the past two years and seven months, deserves the concession of bail.

4. Learned State counsel, however, contends that the petitioner actively participated by associating with the main accused, Mani. Furthermore, learned State counsel submits that a separate case, FIR No. 10 dated 16.02.2023, registered under Sections 25(7) and 25(8) of the Arms Act at Police Station Sanaur, remains pending against the petitioner. In view of these facts, learned State counsel prays for the dismissal of the present petition.

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

**CRM-M-57099-2024****4**

6. In view of the fact that petitioner is not named in the FIR, nor is any direct role or injury attributed to him, and that the main accused alone is alleged to have caused the fatal injury, petitioner's involvement remains highly questionable. Moreover, none of the material witnesses have appeared to depose, and considering the petitioner's prolonged incarceration without substantial evidence against him, this Court finds no justifiable reason to detain the petitioner any longer in custody. Accordingly, this Court finds merit in the petitioner's prayer.

Consequently, present petition is allowed. 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.

7. Any of the discussion done and recorded hereabove, 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 independent view, on the basis of the evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

15.10.2025*Rashmi*

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No