



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

226

CRM-M-28430-2025
DATE OF DECISION: 27.05.2025

BITTU

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Goyal, Advocate for the petitioner(s).
Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)1. Prayer

This petition has been filed under Section 483 of BNSS for grant of concession of regular bail to the petitioner in case FIR No.95 Dated 26.10.2017 under Sections 302, 120-B of IPC and Sections 25 and 27 of Arms Act, 1959 (Annexure P-1), registered at Police Station Kotwali Nabha, District Patiala.

2. Prosecution story set up in the present case as per the version in the FIR reads as under :-

'Statement of Rakesh Kumar s/o Piara Lal r/o Street No.4 Nabha aged about 50 years M.98147-77910 who stated that I am resident of the abovesaid address and I am having my shop at Anjan Mandi, Nabha. Today on 25.10.2017 I was present at my shop at around 08:46 PM my nephew Sandeep Kumar called me on my mobile Monik Jindal @ Mohni has been shot dead by some unknown persons at his shop and then I reached at the spot and saw gun shot injuries on the eyes and forehead of Monik Jindal and few persons were taking him in car for treatment in



Civil Hospital and I also on my Scooter went behind them. After reaching there doctors declared him to be dead. Some unknown persons had shot dead him, and action may be taken against them. I had got recorded my statement which is true and correct. Sd/ Rakesh Kumar M.98147-77910.'

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the present case was registered against some unknown persons and the petitioner was nominated in this case only on 28.10.2017 and was arrested on 03.11.2017. He has argued that the entire story of the prosecution is based upon the circumstantial evidence and the petitioner was not named in the FIR and PW-2 Rakesh and PW-4 Sandeep Kaur who are the material witnesses have not supported the prosecution case and have been turned hostile. He further submits that co-accused Sukhwinder Singh was admitted to regular bail vide order dated 17.07.2024 passed in CRM-M-32862-2024. He has further argued that there was amendment in charges and thereafter, statements of accused were recorded and thus all PWs will be re-examined again before the Trial Court. He contends that the petitioner has been in custody for 7 years and 6 months and is a person with clean antecedents.

On behalf of the State

The learned State counsel has submitted the custody certificate of the petitioner, which is taken on record. He contends that the petitioner faces serious allegations of murder. As per the prosecution's case, the petitioner, in conspiracy with co-accused Sukhwinder Singh, was paid ₹5 lakhs by the latter to murder Amit Jindal, with the intent to usurp an amount exceeding ₹30 lakhs owed



by Sukhwinder Singh. Subsequently, on 25.10.2017, the petitioner allegedly murdered Monik Jindal. In view of the gravity of the offence and the nature of the allegations, the petitioner is not entitled to regular bail at this stage.

4. Analysis and conclusion

The allegations against the petitioner are of a grave and serious nature. It is alleged that he committed murder of Monik Jindal with gun shot injuries on the eyes and forehead. The role of the petitioner is significantly more serious than that of the co-accused, Sukhwinder Singh, also a new fact has been pointed by counsel for the petitioner that a supplementary challan has been presented in this case, therefore, some more prime witnesses are to be examined, hence, the petitioner if granted bail may try to influence or tamper with the evidence/witnesses.

Further, it is a settled principle that while considering a bail application in a case involving serious offences such as murder, the Court must consider the gravity of the offence, the nature of allegations, and the role attributed to the accused.

In light of the aforementioned circumstances, particularly the petitioner's role, no ground is made out for granting the relief of regular bail at this stage.

Accordingly, the present bail petition is dismissed for lack of merit. No order as to costs.

(SANDEEP MOUDGIL)
JUDGE

27.05.2025

anuradha (a)

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No