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

1. **CRM-M-55732-2024**

Manjit Singh @ MannPetitioner

versus

State of Punjab Respondent

2. **CRM-M-2424-2025**

Jagpreet @ JagguPetitioner

versus

State of Punjab Respondent

Date of decision : 30.04.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Harjinder Singh, Advocate
for the petitioner in CRM-M-55732-2024.

Mr. Rahul Garg, Advocate
for the petitioner in CRM-M-2424-2025.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.75 dated 21.04.2024, under Section 302 IPC and (Sections 148, 34, 120-B, 149, 201 of IPC and Sections 25, 27 & 54 of Arms Act added later on) registered at Police Station Sadar Jalandhar, District Jalandhar.

3. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of Raj Kumar. It was alleged that they are 05 brothers and one of his brother is George @ Katta, who was



working as an Electrician. On 20.04.2024, he went out of the house at about 8:00 PM and thereafter he did not return. On 21.04.2024 at about 9:30 AM, he received an information that a dead body of his brother, namely, George @ Katta, was lying in a vacant plot. On hearing, he reached at the place where number of people gathered. On reaching he saw that face and head of his brother had been hit with sharp edged weapon. It was alleged that his brother George @ Katta was killed by some unknown person by causing injuries with sharp edged weapons. Request was made to take legal action against the culprits. On registration of FIR, investigation commenced. On 22.04.2024, supplementary statement of the complainant was recorded, wherein he named 11 accused including both the petitioners. Resultantly, they were arrested on 22.04.2024. On the completion of investigation, challan was presented and on framing of charges, the trial Court commenced with the trial. The petitioners approached the Court of Ld. Additional Sessions Judge, Jalandhar for grant of bail, however, after hearing both the sides and finding no merits, their applications were declined by the trial Courts vide orders dated 24.07.2024 and 03.01.2025, respectively. Aggrieved by the same, the petitioners are before this Court by way of filing the present petitions.

4. It has been vehemently contended by learned counsel for the petitioners that the case of the prosecution is based on the circumstantial evidence, however, the petitioners have been roped in the present case on the basis of presumptions and assumptions. It is submitted that the occurrence in the present case had taken place on 20.04.2024 and the FIR was registered on the very next day i.e. 21.04.2024, and the complainant did not name any of the accused, however, on 22.04.2024, the



supplementary statement of the complainant was recorded and in due deliberated manner the petitioners were roped in the present case. They submit that during investigation, the co-accused, namely, Sonia, was arrested and her disclosure statement was recorded. It is submitted that Sonia had allegedly illicit relations with the deceased and on account of the same, as disclosed by co-accused Sonia, there was a dispute between her and the deceased. Hence, Sonia allegedly in conspiracy with the rest of the accused had committed the murder of the deceased- George @ Katta. They submit that even as per her disclosure, no specific act had been attributed to the petitioners except the allegations of accompanying the petitioners with them. It is submitted that even no recovery had been effected by the prosecution from the petitioners. They submit that petitioners have no criminal antecedents and they are behind bars from the date of their arrest and there is no progress in the trial. It is thus, submitted that in the facts and circumstances of the present case, petitioners deserve to be granted regular bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He submits that the petitioners in due conspiracy with the co-accused, namely, Sonia, had committed the murder of the brother of the complainant. He submit that the disclosure statement of the co-accused, Sonia, was recorded and the complicity of the petitioners have been duly established in committing the murder of the deceased. He, on instructions, submits that out of total 31 prosecution witnesses only 03 witness have been examined. He has produced the custody certificate of the petitioners.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on the



circumstantial evidences. The petitioners have been arrayed as an accused on recording the supplementary statement of the complainant. As per the case of the prosecution, some recoveries of the deceased have been made, however, those recoveries have been effected from the co-accused and not from the petitioners. Custody certificates of the petitioners would show that they have suffered an incarceration of 01 year and 03 days as on 29.04.2025. However, petitioner-Manjeet has no criminal antecedents whereas petitioner-Jagpreet @ Jaggu is involved in one case i.e. under the Prisoners Act. As submitted before this Court, out of 21 prosecution witnesses, 03 witnesses have been examined.

7. 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. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their 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.

8. Photocopy of this order be placed on the file of other connected cases.

(**RAJESH BHARDWAJ**)
JUDGE

30.04.2025

ps-I

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