



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

214

**CRM-M-43573-2025
Date of decision: 15.09.2025**

BILLA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Ankush Rampal, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.04 dated 03.01.2024, under Sections 302/34 IPC, registered at Police Station Sahnewal, District Ludhiana.
2. Present case was registered on the basis of a statement given to the police by Asha Kuhar with the allegations that she belongs to District Gonda (UP) and serving in Great-way factory, Dhandari, while her husband has joined the Ralson factory on 15.12.2023. On 12.12.2023, Billa, a friend of her husband and another friend, whose name she does not know, came to their house and they all



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consumed liquor. When she returned from her duty, she inquired about her mobile phone from her husband, who told that her mobile phone has been taken away by his friend Billa and she asked him to bring back the mobile phone on which her husband told that he will return the mobile phone. On 03.01.2024, she went for her duty and her husband made a phone call to Billa to return the mobile phone, who asked him to collect it and thereafter, her husband went to meet Billa for taking the mobile phone. At about 7:00 pm, she received a call that a quarrel has taken place between her husband and Billa and said Billa and three other unknown persons have caused injuries to him with a 'Dah' and ran away from the spot and her husband had been taken to Civil Hospital. Thereafter, she reached Civil Hospital along with some workers, where she found that her husband had already died. Accused-Billa (petitioner) was arrested and on the basis of his disclosure statement, co-accused Pawandeep Singh, Hardeep Singh and Lovepreet Singh were also arrested. After completion of investigation, final report was presented before the Court for trial.

3. Upon notice, the State counsel has appeared and has opposed the bail. Both the parties have been heard and material placed on the file has been pursued.

4. Learned counsel for the petitioner argued that petitioner has been falsely implicated. Complainant had not witnessed the occurrence and subsequently, false witnesses were introduced to implicate petitioner in the present case. Now, during trial, complainant namely Asha Kuhar has been examined as PW1 (Annexures P-5), Ashok Kumar PW3 (Annexure P-6) and Sukhdev Singh PW4 (Annexure P-7) but all of them have not supported the case of prosecution. They have not uttered anything incriminating against the petitioner or the co-



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accused and have not identified them to be the same persons who had committed the murder. Learned counsel for the petitioner further argued that no other material witness remains to be examined and prosecution case is not likely to improve, as material witnesses have turned hostile. Learned counsel next argued that petitioner is in custody since 03.01.2024. Decision of the trial is likely to take considerable time and co-accused namely Pawandeep Singh @ Ekam @ Kaka, Hardeep Singh @ Kaira and Lovepreet Singh @ Preet have already been released on bail by a Co-ordinate Bench of this Court, vide orders dated 09.07.2025 and 02.08.2025 and the petitioner too is entitled to be released on bail even on the ground of parity.

6. On the other hand, learned State Counsel has opposed the bail and has sought its dismissal in view of the gravity of the offence.

7. The material witnesses including complainant namely Asha Kuhar, Ashok Kumar and Sukhdev Singh have already been examined during the trial and they have turned hostile. They have not identified the accused to be the same persons who had committed the murder and have not uttered anything incriminating against the petitioner or the co-accused during their examination. No other witness remains to be examined. Co-accused namely Pawandeep Singh @ Ekam @ Kaka, Hardeep Singh @ Kaira and Lovepreet Singh @ Preet have already been released on regular bail by a Co-ordinate Bench of this Court, vide orders dated 09.07.2025 and 02.08.2025 respectively. In these circumstances, petitioner too is entitled to be released on bail on the ground of parity.

7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety



bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

15.09.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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