



**CRM-M-34924-2024 &  
CRM-M-34927-2024**

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

**Decided on: February 18, 2025**

**1. CRM-M-34924-2024**

**Jagbir Singh @ Jagga**

**.....Petitioner**

**Versus**

**State of Punjab**

**.....Respondent**

**2. CRM-M-34927-2024**

**Arjun Singh**

**.....Petitioner**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Yajur Sharma, Advocate, and  
Mr. Akun Sheemar, Advocate,  
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

Ms. Ishma Randhawa, Advocate, and  
Ms. Akshita Tandan, Advocate,  
for the complainant.

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**SANJAY VASHISTH, J.**

1. This common order shall dispose of two petitions, namely, CRM-M-34924-2024 and CRM-M-34927-2024, which have arisen out of same FIR and incident.

2. These petitions have been filed under Section 439 Cr.P.C. (now Section 483 of BNSS, 2023), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-



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Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
1. Jagbir Singh @ Jagga s/o Baldev Singh, aged about 19 years (in CRM-M-34924-2024)	26	11.05.2023	302 IPC [Ss. 120-B, 201 & 34 IPC (wrongly mentioned as S. 32 IPC in the headnote of the petition) added later on]	Bhindi Saidon	Amritsar Rural
2. Arjun Singh s/o Nishan Singh, aged about 23 years (in CRM-M-34927-2024)					

2. Learned counsel for the petitioner contends that as per the version recorded in the FIR, on 10.05.2023, at around 09.00 p.m., complainant – Lovepreet Singh was informed by one Amritpal Singh that his father – Sukhwinder Singh (since deceased) had fallen on the side of road near the place of Baba Shaheed Badshah Pir. Upon this information, complainant – Lovepreet Singh went at the spot and took his father to the hospital. Thereafter, on the statement of complainant – Lovepreet Singh, FIR against unknown persons was registered on 11.05.2023, at 03.40 hours. No clue was there with the police about the assailants.

3. Referring to the status report filed by the respondent State, learned counsel for the petitioners submits that during course of investigation, complainant – Lovepreet Singh again joined the investigation on 04.05.2024 and got recorded his supplementary statement to the Station House Officer, Police Station Bhindi Saidan, Amritsar Rural. As per the said supplementary statement, the land of Balwinder Singh @ Bindi is adjacent to their (complainant's) land. Balwinder Singh @ Bindi sold about 10 kanals of his land to one Harbhajan Singh Fauji, about 6/7 years ago. And, about 20 days back before the present incident of murder (i.e. 10.05.2023), Sukhwinder Singh (father of the complainant), had purchased the above-said land



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from Harbhajan Singh Fauji. Few days thereafter, Balwinder Singh @ Bindi met the complainant and threatened that they (complainant & his father) would come to know when they plough this land. Since the complainant was in trauma due to murder of his father, he could not tell all this. Complainant – Lovepreet Singh also apprehended that his father has been got killed by Balwinder Singh @ Bindi, through hired criminals i.e. Arjan Singh (petitioner in CRM-M-34927) and Jagbir Singh @ Jagga (petitioner in CRM-M-34924-2024).

4. Further submits that on the basis of said supplementary statement of complainant – Lovepreet Singh, the offences under Sections 120-B and 34 IPC were added. Thereupon, after arrest of main accused Balwinder Singh @ Bindi and recording of his disclosure statement, petitioners, i.e. Jagbir Singh @ Jagga and Arjan Singh, were nominated as accused in the present FIR.

Apart the disclosure statement of Balwinder Singh @ Bindi, prosecution is also relying upon the extra judicial confession made by Balwinder Singh @ Bindi alongwith the present petitioners also, before one Satnam Singh son of Harbans Singh, resident of village Chak Kamaal Khan, Amritsar, on 04.05.2024. As per extra judicial confession, accused confessed that about a year back, Sukhwinder Singh was got killed by Balwinder Singh @ Bindi through accused Jagbir Singh @ Jagga and Arjan Singh (petitioners herein) by making payment of Rs. 1,00,000/-. Subsequent thereto, disclosure statements of accused Arjan Singh and Jagbir Singh @ Jagga were also recorded. In pursuance to the said disclosure statements, one motorcycle and one spear head, having dried blood on it, were recovered.

5. In the backdrop of aforementioned alleged facts and the evidence relied upon by the prosecution, learned counsel for the petitioners argues that there is no substantive evidence against the petitioners, for involving them in the present case. In fact, investigation was never conducted by the police to find out of any earlier instance, wherein the petitioners were indulged in any criminal activity, what to talk of working as a hired criminals/murderers, as in the present case.



Second limb of the argument is that the main accused, Balwinder Singh @ Bindi has already expired while he being inside jail, and, therefore, it would not be so easy for the prosecution to prove the involvement of the petitioners beyond shadow of reasonable doubt because names of the present petitioners surfaced only on the basis of the disclosure statement of co-accused Balwinder Singh @ Bindi.

Third limb of the argument is that the alleged extra judicial confession does not come up with any reasonable element of reliability to conclude that in ordinary circumstances, the petitioners or main accused, Balwinder Singh @ Bindi (now deceased), would reach out to some stranger, who is not even, socially acknowledged person in the society, and to disclose him about committing of a crime of murder, and that too after one year of the incident. The recovery of spear head smeared with blood after about one year, as projected against the petitioners, is highly improbable, and is another aspect to raise doubt on the prosecution story.

6. While concluding the arguments, learned counsel for the petitioners submits that investigation is complete and final report (challan) has also been presented. Therefore, the prosecution cannot built up a better case than what is there in the final report. Thus submits that petitioners being not of any criminal antecedents/background, deserve the concession of bail.

7. On the other hand, learned State counsel reads out the evidence which has been collected by the prosecution agency, and submits that both the petitioners are hired criminals and they do not deserve any leniency. In case the petitioners are released on bail, they may threaten the witnesses. Learned State counsel also submits that the FSL report is still awaited in regard to the dried blood, which was found there on the spear head, and, therefore, today there being no evidence to support the petitioners/accused version, the prayer of bail is required to be dismissed. It is also pointed out that the petitioners are found to be communicating with the main accused – Balwinder Singh @ Bindi, through mobile talks and it is sufficient evidence with the prosecution to



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create a link between the petitioners and main accused – Balwinder Singh @ Bindi, though he has expired while inside jail.

8. Learned counsel appearing on behalf of the complainant also opposes the contention of bail, however, she could not point out anything new from the record available before this Court.

9. Considering the circumstances in totality and without expressing any opinion on the standard of evidence, which has been collected by the prosecution or the submissions of respective counsel at the stage of bail, the only question that requires consideration is of warranting of the custody of the petitioner, involving the issue of their liberty for any longer time, and, therefore, plea of the petitioners appears to be worth acceptable.

10. In view of totality of circumstances, and the facts/allegations levelled against the petitioners, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioners.

11. Consequently, prayer made in these petitions is **allowed**. Both the petitioners are ordered to be released on bail, subject to furnishing bail/surety bonds by each one of them, to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

13. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

14. Petitions stand disposed of.

**(SANJAY VASHISTH)  
JUDGE**

**February 18, 2025**

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Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**