



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

213

CRM-M-39019-2024

Date of decision: 28th April, 2025

Harpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ritesh Pandey, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 159 dated 30.11.2021 registered under Sections 307 and 325 of IPC (Section 302 of IPC added later on) at Police Station Navi Baradari, District Police Commissionerate Jalandhar.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Raj Kumar alleging therein that on the same day, at about 12:15 PM, he was passing through Khalsa College, on his motor bike when he met his son Mandeep Singh outside the parking gate. Mandeep Singh told him that he was going to take his motor bike from the parking lot. The complainant stood there. While his son was going towards the parking lot, the complainant noticed that one youth came to him and started having an altercation. Within the sight of the complainant, the said youth picked a wooden log lying nearby and hit the same on the head of Mandeep Singh with an intent to kill him. His son had fallen unconscious. The assailant fled from the spot and the complainant later on came to know



his name as Harpreet Singh i.e. the petitioner. The occurrence was also witnessed by Ranjan and Gurpreet Singh, who were standing therein. Initially, a case under Section 307 of IPC was registered. Investigation proceedings were initiated. The petitioner was arrested on 02.12.2021. The victim died during the course of his treatment on 02.03.2022, as he succumbed to the injuries sustained by him. Offence under Section 302 of IPC was added. Post-mortem examination of dead body and inquest proceedings were conducted. Supplementary challan was prepared and presently, the petitioner is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he is in custody since 02.12.2021. The eye-witnesses have not supported the prosecution version. Trial would take considerable time to conclude. His further incarceration would not serve any useful purpose. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner. He was not only named in the FIR but he was the sole assailant. The fact the two eye-witnesses have turned hostile is not a circumstance for extending benefit of bail to the petitioner as the complainant has supported the prosecution version. It is argued that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have assaulted the son of the victim



on 30.11.2021. He had sustained serious injuries and succumbed to the same on 02.03.2022. He remained unfit to record his statements during the intervening period. The petitioner has placed on record copy of statement of PW-3 Gurpreet Singh as recorded before the learned trial Court, which shows that he did not support the prosecution version and did not implicate the petitioner in the commission of subject offence. However, the complainant has been examined before the learned trial Court as PW-2 and he is shown to have duly identified the present petitioner as the assailant of his son and is also shown to have deposed that he had identified him at the police station. The allegations against the petitioner are serious in nature. The complicity or otherwise of the petitioner is to be established on the basis of thorough assessment of the evidence to be produced during the trial and not at this stage. Gravity of the allegations is one of the major grounds for declining the prayer of an accused for grant of bail. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

28th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned

2. Whether reportable

: Yes / No

: Yes / No