



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. NO.232

CRM-M-41381-2024

DATE OF DECISION: 06.08.2025

JASPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Arun Takhi, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition Section 439 CrPC (483 of BNSS, 2023) for grant of regular bail in case FIR No. 234 dated 22.08.2023 registered under Sections 308, 323, 506, 148 and 149 of IPC (offence under Section 302 IPC added lateron) at Police Station Tanda, District Fazilka.

2. The FIR in the present case was registered on the basis of the statement made by Puneet son of Darshan Singh, and the same has been reproduced below:-

*“Statement of Puneet S/o Darshan Singh R/o Lodhi **Chak** Police Station Tanda, District Hoshiarpur aged about 22 years*

Mobile No.88723-01601 stated that I am the resident of above address and is doing house hold work. We are two brothers and the name of elder brother is Akash Singh, who is aged about 24 years and has opened the shop of AC and Refrigerator repair at Garhi Mohalla at Tanda. On dated 21.08 2023, I had also come to the shop of my brother. Akash Singh after finishing his work in the shop, went to the tap installed in front of his shop, then it will be about 1.15 PM. In the meanwhile two cars came make Swift and the other Maruti and stopped outside the shop, 7-8 young men alighted from these cars, out of them the name of one of the accused is Ranjodh Singh @ Jodha S/o Bittu R/o Dhalachak Police Station Tanda armed with Khanda Iron and other unknown accused were armed with dandas, sickle (Datar) and Ranjodh Singh @ Jodha raised lalkara and said that they would teach a lesson to him for staring at us, then Ranjodh Singh @ Jodha gave blow with Khanda Iron on my brother Akash Singh with the intention to kill which hit in the centre of his head and thereafter Ranjodh Singh gave blow with Khanda with the intention to kill him which hit on the left side of his head in the front, in the meanwhile one young man gave danda blow on him which hit him on the right thigh, then my brother raised loud noise of 'Mar Ditta Mar Ditta', then I came running out of the shop, then I started taking care of my brother, then the accused while raising lalkaras and extending threats fled away from the spot in their respective cars. I can recognize these unknown young men on being produced before me. Statement has been got recorded, required legal action be taken against these young men. The reason behind the quarrel is that few days back Ranjodh Singh @ Jodha had an argument with my brother on some point. Statement is read, understood, which is correct. Sd/- Puneet identified by Darshan Singh 8427545659 verified by Balvir Singh ASI Police Station Tanda Dated 22-8-2023"

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been subsequently nominated as an accused merely on the basis of the disclosure statement suffered by Ranjodh Singh @ Jodha on 25.08.2023 as well as supplementary statement of the complainant. He contends that in fact the occurrence had taken place on 21.08.2023, whereas Akash, injured had died on 19.10.2023 due to seizure and fever spikes. Thus, the offence under Section 302 IPC is not made out against the petitioner. Learned counsel further submits that in the present case, Jagpreet Singh, another accused, has been granted the concession of bail by this Court. The petitioner was put behind bars on 02.07.2024 and after completion of investigation, challan has been presented against him. Thus, the further custody of the petitioner will not serve any purpose.

4. On the other hand, learned State counsel has placed on record a status report by way of affidavit dated 10.07.2025 of Deputy Superintendent of Police, Hoshiarpur and the same has been taken on record.

5. As per learned State counsel, the FIR in the present case was registered after recording the statement of the complainant. It was found that Akash Singh, injured, was unfit for statement and was on ventilator support initially. Even undoubtedly, Ranjodh Singh @ Jodha was named as an accused in the present case, however, it was clearly stated that seven/ eight persons were accompanying him. Thereafter, the supplementary statement of the complainant was recorded and the petitioner was also named as an accused in the present case. Ranjodh Singh @ Jodha, co-accused, was arrested on 23.08.2023 and during his police remand, he disclosed that he along with Dalbir Singh, Saurav, Jaspreet Singh, Mandeep Singh, Meet and

Varinder had caused injuries to Akash Singh. Even Ranjodh Singh @ Jodha got recovered the handle of spade on 25.08.2023. Later on, after two days, Ranjodh Singh suffered another confessional statement and named Jagpreet Singh @ Mani as his co accused.

6. Learned State counsel submits that the case of Jagpreet Singh @ Mani, who has been granted the concession of bail in the present case, is on entirely different footing, as he was named in the second disclosure statement by Ranjodh Singh @ Jodha, main accused. Learned State counsel further submitted that the petitioner was arrested in the present case on 02.07.2024 and he did not get the recovery of *danda* effected, which was used by him in the commission of the offence in the present case. Consequently, Section 201 IPC was added against the petitioner in the present case. Now, the charge has been framed against the petitioner and the petitioner may influence the witnesses of the prosecution in the present case.

7. I have heard that counsel for the parties and perused the record carefully.

8. In the present case, no doubt the petitioner was not initially named as an accused, however Ranjodh Singh @ Jodha, co accused, was named in the present case and he was arrested on 23.08.2023. Ranjodh Singh @ Jodha clearly stated that he along with petitioner and other co-accused had caused injuries to the deceased and killed him. Still further, even the supplementary statement of the complainant and other evidence was also collected against the petitioner, which proved the direct involvement of the petitioner in the crime. Further, the case is listed for prosecution evidence before the trial court and the prosecution is yet to lead evidence against the

petitioner. Thus, at this stage, when the material witnesses are yet to be recorded, it would be inappropriate to grant the concession of bail to the petitioner.

9. In view of above discussion, the present petition stands dismissed.

(N.S. SHEKHAWAT)
JUDGE

06.08.2025
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO