



CRA-S No.2504-2024

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

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**CRA-S No.2504-2024 (O&M)  
Date of Decision: 06.05.2025**

Sandeep Singh @ Seepa

..... Appellant

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU****Present:** Mr. Manjinder Singh Saini, Advocate and  
Mr. Puneet Sharma, Advocate for the appellant.

Mr. Amit Shukla, DAG, Punjab.

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**MAHABIR SINGH SINDHU, J.****CRM-2504-2024**

Application under Section 5 of Limitation Act, 1963, for condonation of 780 days' delay in filing the appeal.

Notice of the application to the non-applicant/respondent No.1.

Mr. Amit Shukla, learned Deputy Advocate General, Punjab, accepts notice on behalf of the non-applicant/respondent No.1 and does not seriously oppose the prayer.

In view of the above and for the reasons stated in the application, same is allowed as prayed for, subject to all just exceptions.

As a result thereof, delay of 780 days in filing the appeal is condoned.

**Main Case**

Present appeal has been filed for setting aside of order dated 27.01.2022 (A-1), passed by learned Additional Sessions Judge, Jalandhar, whereby application under Section 439 of Code of Criminal Procedure, 1973



(for short, 'Cr.P.C.') for grant of bail pending trial to the appellant in FIR No.257 dated 25.11.2020, under Sections 302, 307, 148 read with Section 149 of Indian Penal Code, 1860 (for short, 'IPC'); Section 25 of Arms Act, 1959 read with Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989 (for short, 'the SC&ST Act'), registered at Police Station Adampur, District Jalandhar, was dismissed.

2. Allegations are that appellant along with co-accused had formed an unlawful assembly and in furtherance of common object committed murder of Sagar Kataria (friend of *de facto* complainant-Sunil Kumar being member of Scheduled caste) as well as inflicted injuries to above Sunil Kumar and one Akirat Singh by firing gunshots.

3. Contends that appellant has been falsely implicated in the present case and the main accused, namely, Simar has not even been arrested till date. Further contends that despite repeatedailable/non-ailable warrants, the prosecution witnesses are not coming forward and as such, delaying the trial, just to prolong the incarceration of the appellant. Lastly contends that appellant is in custody since 16.08.2021; charges were framed on 18.04.2022 and he is not involved in any other criminal case.

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that allegations against the appellant are serious in nature; hence, he does not deserve the concession of bail pending trial. Again submitted that appellant was very much present at the time of alleged occurrence and injured/eye-witness Sunil Kumar PW-1 has clearly implicated the appellant and his role is specifically mentioned. Also submits that during investigation, one pistol 7.65 mm along with two live cartridges were recovered from the appellant and as per the ballistic report, weapon of



offence recovered from the appellant is found to be in working condition and the same was used while committing the alleged crime. Lastly submits that in case appellant is released on bail, there is likelihood of influencing the prosecution witnesses and may hamper the fair trial.

5. Heard learned counsel for the parties and perused the paper-book.

6. There is no dispute that in the initial version, appellant is specifically named. Apart that Suni Kumar eye-witness/injured while appearing in the witness box as PW-1 has categorically described the role played by appellant. Since appellant is facing charge under Section 302 read with 149 IPC as well as Section 3 (1)(s) of SC & ST Act; which if proved, may entail life imprisonment. Therefore, after going through the records and hearing both sides, this Court is of, *prima facie*, opinion that complicity of the appellant is well apparent and in case he is released on bail, he may hamper the fair trial.

7. Moreover, charges against the appellant are very serious in nature; therefore, this Court is not inclined to interfere with the impugned order and/or to grant him bail pending trial.

8. Consequently, there is no option, except to dismiss the appeal “at this stage”.

9. The above observations be not construed as an expression of opinion on merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

06.05.2025

d.gulati

(MAHABIR SINGH SINDHU)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No