



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34971-2025

Reserved on: 22nd August, 2025

Pronounced on: 1st September, 2025

Surinder Pal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manu Loona, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The instant one is the second petition as 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. 75 dated 08.07.2024 registered under Section 103(1) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City-II, Abohar, District Fazilka. His previous petition bearing CRM-M No. 6066-2025 has been dismissed as withdrawn vide order dated 06.02.2025.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Kanwaljit Kaur alleging therein that on 07.07.2024, the petitioner, who is her brother-in-law, had come to her house and had used harsh words with her husband Pankaj Pal, while saying that he had occupied the entire ground portion of the house though the entire house belonged to him and by asking him to live elsewhere with his wife. He had also proclaimed that he would not allow them to live there. She



alleged that on the morning of 08.07.2024 also, he came to her husband and asked him to vacate the house. Her husband tried to prevail good sense upon the petitioner by saying that his wife i.e. the complainant was eight months' pregnant but the petitioner pushed the complainant as well as her husband and then extended beatings to her husband. He took a screw driver kept on the fridge in his hand and struck a blow with the same on the chest of her husband. Blood started oozing out of the wound as well as mouth and nose of her husband, who raised clamour and rushed outside but the petitioner extended beatings to him in the street also and then ran away. Her husband had rushed to the hospital but had succumbed to his injuries and died. After registration of FIR, investigation proceedings were initiated. Post mortem examination of the dead body of the victim was conducted, as per which, the death had occurred due to internal organ injury and hemorrhagic shock due to blood loss. The petitioner was arrested and has been in custody since 08.07.2024. Presently, he is facing trial for commission of the aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not present at his house at the relevant time. His mother Bholi and father Dharampal have sworn affidavits as Annexures P-2 and P-3 to this effect. The complainant Kanwaljit Kaur has also examined as PW-1 and has not implicated him in commission of the subject crime. He has been in custody for a long period. His further incarceration would not serve any useful purpose. He deserves to be released on bail.

4. Status report has been filed. It is argued by learned Assistant



Advocate General, Punjab, that keeping in view the gravity of the allegations levelled against the petitioner, he does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner has placed on record Annexure P-6 copy of sworn deposition of the complainant Kanwaljit Kaur and Annexure P-2 copy of sworn deposition of PW-2 Bholi, mother of the victim as well as the petitioner and an eye-witness to the occurrence. On a perusal of their statements, it is revealed that neither of them has implicated the petitioner in the commission of subject crime. Both of them were declared to be hostile on asking of learned public prosecutor and had been cross-examined in detail but no incriminating evidence against the petitioner has been extracted. Keeping in view the nature of the evidence that has come on record in the form of testimonies and above named witnesses and keeping in view his period of incarceration and the attendant facts but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

[MANISHA BATRA]
JUDGE

1st September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*