



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

CRM-M-31144-2025
Date of decision: 09.09.2025

ARSHDEEP SINGH AND ANOTHER

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Ramandeep Kaur, Advocate
 for the petitioners.

 Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first petition under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.35, dated 25.02.2024, registered at Police Station Dharmkot, District Moga, under Sections 302, 427, 148 & 149 of IPC.

2. Learned counsel for the petitioners as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. In compliance of order dated 12.08.2025, status report by way of affidavit dated 08.09.2025 of Jasvarinder Singh, PPS, Deputy Superintendent of Police, Dharamkot, District Moga filed on behalf of the State of Punjab is taken on record. Registry is directed to tag the same at an appropriate place.



4. The present case was registered on the basis of complaint given to the police by Satpal Singh with the allegations that his younger son Harwinder Singh aged about 26 years runs a dhaba at village Korotana, District Moga in partnership with Ramandeep Kaur. Navjot Singh, @ Jota, Gagna, Jhanda and Ravi, all residents of village Roomi often visit his dhaba for meals. On 19.02.2024, he went to meet his son Harwinder Singh at the dhaba at about 11.00 pm and all the aforesaid persons came there and they started arguing with them over the payment of money and he advised his son to accept the money whatever they will pay. Thereafter, they paid some money to his son but while leaving, they threatened to see him in future. On 20.02.2024, he stayed with his son at the dhaba and during the intervening night of 20/21.02.2024 at about 1.30 am, aforesaid persons namely Navjot Singh, @ Jota, Gagna, Jhanda and Ravi accompanied by 10-12 persons came there in two-four wheelers armed with baseball bats, swords, dangs and sotas and started quarreling with his son. Navjot Singh, who was armed with sword gave a lalkara to teach him a lesson and he attacked his son with his sword and all of them started beating his son with baseball bat, dang, sword and sotas, as a result of which, he fell unconscious. Thereafter, they damaged the articles lying in the dhaba and ran away from the spot. In the meanwhile, Ramandeep Kaur, who was partner in the dhaba also came there and they arranged a conveyance and took his son to the hospital at Moga but he was referred to higher centre, where he died during the treatment and he sought action against the accused.



5. Learned counsel for the petitioners argued that petitioners have been falsely implicated in the present case. Petitioners are in custody since 29.02.2024 and after completion of investigation, challan was presented. Both the material witnesses namely Satpal Singh-complainant and Ramandeep Kaur, who had allegedly witnessed the occurrence have already been examined but they both have turned hostile and have failed to identify the accused to be assailants, who had committed the murder. Learned counsel next contended that no other eye-witness remains to be examined and prosecution case is thus not likely to improve and since, witnesses have turned hostile, no useful purpose will be served by keeping the petitioners in custody anymore and they may be released on bail.

6. On the other hand, learned State counsel has opposed the bail and had sought its dismissal, in view of gravity of offence.

7. Petitioners are in custody since 29.02.2024. Both the material witnesses including complainant have turned hostile and have not identified the accused to be the same persons, who had committed the murder. During their examination, they have rather stated that accused are not the same persons, who had caused injuries to Harwinder Singh resulting in his death. No other eye-witness remains to be examined and in these circumstances, prosecution case is not likely to improve in any manner. Trial will certainly take a long time to conclude and no useful purpose shall be served by keeping them in custody any more.



8. Taking into consideration the facts and circumstances of the case but without commenting anything on the merits of the case, the bail application is allowed and petitioners are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

09.09.2025
Priyanka Thakur

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No