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

**CRM-M No.15166 of 2025
Date of Decision: 23.07.2025
Reserved on: 17.07.2025**

Jagtar Singh @ Kaka Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Simranjeet Singh Sarwara, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
22	22.02.2023	Chamkaur Sahib, District Rupnagar	302 and 34 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant Balwinder Singh alleging that his father-in-law Surjit Singh was posted as Home Guard at G.R.P. Samrala, District Ludhiana and was also an agriculturist. In the morning

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of 22.02.2023, he received a call on his cell phone from his father-in-law who told him that he was extended beatings by the petitioner and his brothers and was present at drain bridge of Village Mohanmajra Fassya road. He also told the complainant to come at the earliest and otherwise he would be killed. On hearing so, the complainant rushed towards the drainage bridge on his motorcycle. He found his father-in-law sitting there who told him that the petitioner along with his brother and one Sarabjit Singh had intercepted him and had caused injuries with sticks and had left only when some passersby had reached there. Looking at the critical condition of his father-in-law, the complainant took him to hospital. He was referred to some higher centre but was declared to be dead. While alleging that the motive was that there was a money dispute between his father-in-law and the petitioner as the latter was not returning the money taken from the former and that is why the petitioner had assaulted the victim, the complainant prayed for taking action. After registration of FIR, investigation proceedings were initiated. The call detail records of the phones of victim Surjit Singh, the petitioner and other accused assailants, were obtained. The petitioner was arrested on 28.02.2023. Presently, he along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Material witnesses namely Hukum Singh and Santokh Singh have not supported the case of the prosecution in their respective sworn depositions. He is in custody since long. The trial is likely to take considerable time as several witnesses are yet to be examined.

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There is no incriminating evidence against him. His further incarceration would not serve any useful purpose. It is, therefore, argued that 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, the petitioner does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have assaulted the victim Surjit Singh which resulted into his homicidal death. The petitioner has placed on record copy of sworn deposition of the complainant Balwinder Singh and a perusal of the same reveals that he fully supported the prosecution version. Copy of statement of PW-5 Jaspal Singh son of the victim Surjit Singh has also been placed on record. He was not an eye-witness to the occurrence but he is shown to have deposed that his father had called him just after the occurrence and had told him that he had been extended beatings by the petitioner and the co-accused. Though one Hukum Singh is not stated to have supported the prosecution case, however, it is only after thorough assessment and evaluation of the entire evidence to be produced during trial that the trial Court will determine the question as to whether the testimony of Hukum Singh is worthy of acceptance or not? The petitioner was specifically named in the FIR and serious allegations had been levelled against him. The trial is going on at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. Keeping in view the gravity of the allegations as levelled

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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, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

23.07.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No