



CRM-M-2704-2025

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

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**CRM-M-2704-2025
Decided on : 22.05.2025**

RAJPREET SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Rajpreet Singh, aged about 25 years	171	10.07.2021	302/34 of IPC	Chattiwind	Amritsar

2. Learned counsel for the petitioner submits that deceased in the present case is Ranjit Singh @ Suraj, aged about 22 years. The FIR was registered at the instance of Surjit Kaur (mother of the deceased), who claims to be an eye-witness to the incident.



As per the allegations mentioned in the FIR, petitioner, Rajpreet Singh, is stated to have attacked her son with a *kirch* on his chest, following which the deceased fell to the ground. Upon raising an alarm, all four accused allegedly ran away from the spot.

3. By referring to the statement of the complainant recorded on 21.02.2023, learned counsel for the petitioner submits that the said material witness has already been examined, and there appears to be ambiguity in her deposition. While the FIR specifically attributes the act of giving a *kirch* blow on the chest of the deceased solely to the petitioner, the complainant, in her testimony before the Court, stated that all four accused persons inflicted *kirch* blows on her son in her presence.

In view of this inconsistency, counsel for the petitioner argues that the exact role attributed to the petitioner remains unclear and is yet to be conclusively determined by the trial Court at the final stage of the proceedings. In other words, the deposition before the Court implicates all four accused equally, whereas the FIR attributes the fatal injury only to the petitioner, thereby raising a question as to which version is accurate.

4. Learned counsel further points out that two of the co-accused, namely Arshpreet @ Arsh and Deepak @ Deepu, have already been granted the concession of bail. He submits that the trial is progressing at a very slow pace, as evidenced by the fact that despite petitioner being in custody since 10.07.2021, amounting to nearly 3 years and 10 months, the process of recording evidence is running with a very low pace.



5. It is also submitted that petitioner is not involved in any other criminal case and neither has a history of criminal conduct. By submitting the prolonged incarceration, slow pace of trial, and the petitioner's clean antecedents, counsel submits that he deserves the concession of regular bail in the present case.

6. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the status report dated 21.05.2025 in Court today, which is taken on record. Office to tag the same at an appropriate place. A copy thereof has also been handed over to the counsel for the petitioner.

7. Learned State counsel, while opposing the prayer for bail and submissions advanced by learned counsel for the petitioner, submits that there is unrebuttable evidence on record indicating that petitioner inflicted the *kirch* blow on the deceased, which is the specific injury that resulted in the death. It is contended that the fatal blow is directly attributed to the petitioner, thereby making the offence grave and serious in nature.

8. Upon being queried by the Court, learned State counsel further submits that, out of total 22 prosecution witnesses, only 9 have been examined so far, including the complainant. Additionally, 6 witnesses have been given up, and the remaining 7 witnesses are yet to be examined.

9. Taking into account the aforementioned facts, particularly that specific role of the petitioner is yet to be conclusively determined by the trial Court upon proper appreciation of the evidence, and considering



that petitioner has already undergone incarceration for a period exceeding 3 years and 10 months, without any final adjudication of the case, the prolonged detention cannot be overlooked.

10. In view of the totality of circumstances, nature of allegations against the petitioner, and the factors discussed hereinabove, this Court deems it just and appropriate to grant the concession of bail to the petitioner.

11. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

12. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

22.05.2025
Lavisha

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