

CRM-M-10984-2025

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

CRM-M-10984-2025
Reserved on: 22.04.2025
Pronounced on: 29.04.2025

Joga Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Nitin Narula, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0128	28.10.2022	Bhindi Saidan, District Amritsar (Rural)	302, 427 IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 14 of the bail petition, the accused declares that he has no criminal antecedents.

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the brief and relevant facts of the case are that the aforesaid FIR No. 128 dated 28.10.2022 was registered on the basis of the statement of Harmanjot Singh son of Surjit Singh, who had alleged therein that his elder brother Joga Singh was in the search of work and on 27.10.2022 at 06:00 PM, he had gone from his house on his Hero motorcycle No. PB-02-CD-2958 but he did not return home and at about 09:20 PM, that he received a telephone call from a girl from mobile number 97819-84520 who stated that his brother Joga Singh had come to meet her and had

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returned home after meeting her and when he asked about her identity, she disclosed her name was Raj Kaur @ Rajji. He further stated that as his brother Joga Singh did not get back home, then he along with his father Surjit Singh and mother & a went for his search till 01:00 AM - 2:00 AM and as his brother was found nowhere they returned back and on 28.10.2022, at about 11:00 AM. when they reached near Bus Stop Dug Toot in order to search his brother, an unknown person informed them that a dead body of a young man was lying on the side of the road leading to village Saidpur along with a smashed motorcycle and when he along with his parents reached at the spot, the dead body of his brother Joga Singh and his motor cycle was found and he had a suspicion that some unknown person had murdered his brother and dumped his body. The detailed facts mentioned in the aforesaid statement is attached with the petition as Annexure P-1, FIR No. 128 dated 28.10.2022 which may kindly be read as the part of this paragraph please, as same is not repeated for the sake of brevity.”

4. The petitioner's counsel submitted that petitioner is not related to the woman in question which could have been a motive and he was simply a neighbour. He further submits that petitioner was not named in the FIR and he was nominated on the basis of disclosure statement. Counsel further prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He further submits that petitioner's name was surfaced in the disclosure statement of co-accused.

5. The State's counsel opposes bail and refers to the reply. Complainant's counsel vehemently opposes the bail and made the following submissions:-

“I wish to bring to your notice that in relation to the murder case of my brother, an FIR No. 128 under Section 302 IPC, etc., was registered at Police Station Bhindi Saidan against the accused Joga Singh son of Sucha Singh and others. After the registration of the said case, the accused Joga Singh obtained bail from the Court and, upon returning to the village, started issuing threats to me and my family members. Joga Singh and his accomplice, Billa Doctor, have been putting pressure on us that if we do not withdraw the abovementioned case, they will get us killed. Joga Singh openly said that he has connections with gangsters and cannot do anything to that we him. Joga Singh threatened me on 03.04.2025 at around 4 PM near the outskirts (Firni) of the village and again on 04.04.2025 outside my house.”

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9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. **Petition dismissed.** Interim orders are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

29.04.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.