



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

CRM-M-18235-2025

Reserved on: 20th August, 2025

Pronounced on: 29th August, 2025

Jobanjeet Singh @ Joban

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been 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. 20 dated 01.02.2024 registered under Sections 302 and 34 of IPC and Sections 25 and 27 of Arms Act at Police Station Gate Hakima, District Commissionerate, Amritsar.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Suman alleging therein that her father Sh. Yashpal was running a canteen at Government School, Gate Hakima. During the evening time, he used to sell eggs on a cart outside the school premises itself. On 01.02.2024, at about 5:00 PM, he had gone for selling eggs. At about 6:40 PM, she received a message that someone had injured her father by firing gunshots and had been admitted to the hospital. On reaching there, she found him to be dead. She alleged that one Harjit



Singh @ Raja had taken a sum of Rs. 2,00,000/- from her to provide a job, but had not done so. She had demanded the aforementioned amount and then Harjit Singh had filed a civil suit against her. He had also been pressurizing her to perform marriage with him and raised suspicion that her father had been killed by accused Harjit Singh. After registration of FIR, investigation proceedings were initiated. Post mortem examination of dead body was conducted.

3. As per the further allegation, on 16.02.2024, the complainant recorded statement before the Investigating Officer alleging that on 15.02.2024, she had gone to the house of her sister Prabh Kaur and the accused Deepak Pratap @ Bholu, who was son of sister-in-law of Prabh Kaur was heard making conversation on phone that he had paid a sum of Rs. 1,00,000/- for committing murder of the father of the complainant to accused Boxer, Guggu and Joban(present petitioner) and that he could not pay any more amount of money to them. She recorded in her statement that she already knew the petitioner and above named Boxer and Guggu as she used to visit the house of her sister and these persons used to come to meet accused Deepak Pratap. On her statement, the petitioner along with the aforesaid persons was nominated as an accused. Accused Deepak Pratap was arrested on 16.02.2024. He suffered disclosure statement admitting that he had hatched a conspiracy with the petitioner and other accused as he suspected that the deceased Yashpal was maintaining illicit relations with his mother and had also seen them number of times. He also disclosed that he had given a sum of Rs. 1,00,000/- and one pistol to the accused Prince @ Boxer for committing murder of the victim. The petitioner was arrested on 20.04.2024. He too suffered disclosure statement admitting his involvement



in the crime and stating that accused Prince and Danish had fired shots at the victim to kill him, whereas he had remained present there. The co-accused were also arrested. Investigation now stands completed and the petitioner is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of supplementary statement of the complainant, which cannot be considered to be trustworthy at all and is highly unnatural and improbable. There is no eye-witness to the murder of the victim. The case is based on circumstantial evidence and there is no circumstance to connect the petitioner with the crime. He has been in custody for a long period. He does not have any criminal antecedents. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. He has not been attributed any specific overt act in the offence of murder of the victim. It is, therefore, urged that he deserves to be released on bail.

5. Status report has been filed. It is argued by learned State counsel that there are serious allegations against the petitioner. The complainant-Suman has duly supported the prosecution version. There are chances of his absconding or intimidating the witnesses, if extended the benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have committed the murder of the victim in pursuance of a conspiracy hatched by them. He has been in custody since 25.04.2024. The co-accused Harjit Singh



named in the FIR was declared to be innocent during the course of investigation. The petitioner was named on the supplementary statement of the complainant herself. She has been partly examined and has supported the allegations as levelled by her in her supplementary statement qua overhearing the conversation between the petitioner and the co-accused Deepak Pratap with regard to committing murder of the victim. The allegations against the petitioner are serious in nature. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. Keeping in view the gravity of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the present petition is dismissed.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th August, 2025

Parveen Sharma

1. Whether speaking/ reasoned

: Yes / No

2. Whether reportable

: Yes / No