



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

CRM-M No.2036 of 2024
Date of decision: 7th August, 2024

Charandeep Singh @ Deep

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kulwinder S. Rathour, Advocate for the petitioner.
(through VC)

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.78 dated 20.03.2022 under Section 346 of the IPC (Sections 302, 120-B IPC added later on) registered at Police Station City Kharar, District SAS Nagar.

2. Learned counsel for the petitioner asserts that the petitioner has been falsely implicated in the present case. Initially the FIR was lodged by his sister-in-law (wife of his sister), who apprehended that the petitioner, his wife (hereinafter referred to as, 'deceased'), and their infant son had been kidnapped. However, nine days later, the complainant altered her account, while recording a supplementary statement, wherein she alleged that she had received information from



her sources indicating that the petitioner had murdered the deceased and thereafter disposed off her body in a river.

3. Learned counsel for the petitioner further contends that the delay in recording the supplementary statement of the complainant casts significant doubt on his guilt. Additionally, it has been argued that the petitioner's false implication is evident from the fact that the police have falsely recorded different versions of his alleged disclosure statements.

4. Learned counsel has also pointed out that the petitioner has been in custody for over two years, having been arrested on 29.03.2022, and the trial has not yet concluded. Therefore, a prayer has been made that in the aforementioned facts and circumstances, the petitioner be extended the concession of bail.

5. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. It has been argued, on instructions, that the petitioner is involved in the cold blooded murder of his wife, and after carrying out the crime, he had attempted to destroy evidence by dumping her body in the river. It has been further submitted that the prosecution had gathered sufficient incriminating evidence, including disclosure statements of co-accused, who revealed that the petitioner had sought his assistance in disposing off the body of the deceased. Learned State counsel has, in particular,



drawn the attention of this Court to the supplementary statement of the complainant, which has been annexed as Annexure P-2 and which stands reproduced hereunder:

“Statement of Babita wife of Sandip Gupta resident of House no. 2019/1 sector 45-C, Chandigarh aged about 35 years, Mobile 85910-60102. Stated that I am resident of above mentioned address. Earlier I have recorded a DDR. No. 26 dated 11/03/2022 Rojnamcha PS. City Kharar regarding missing of My sister Rubi Panday and her husband namely Charandip Singh and one son namely Yuvdeep Singh (aged 2 years). I searched them on my behalf and they have not met me. And after that I got doubt that my sister and my Jija and my nephew have been kidnapped and forcibly hidden by some unidentified persons. Then I recorded FIR no. 78 dated 20/03/2022 Under sections 346 IPC, at Police station City Kharar. Now I have come to know through some personal person that my sister Ruby Pandey aged 30 years had been murdered and thrown in the river Khantwali at village Khantwali by my Jija Charandip Singh. My Jija after some time of marriage started fight with my sister and used to beat her and also threatens to kill her. And for this fights Charandip Singh have got written apologies from my sister Rubi Pandey so many times. Even today he is roaming free in the area of Kharar in his Car no. PB-05L-0139 color Blue mark Skoda. I am fully assured that my sister Rubi Panday has been killed by my Jija Charandip Singh. I have doubt regarding involvement of more persons in the killing of my sister. Take strict legal



action against them and asked about the dead body of my sister Ruby Pandey during (PUCH GICH) interrogation from him and asked what they have done with her dead body. To I have recorded my statement by visiting at police station. Same has been recorded and heard and correct.”

6. It has been submitted that a perusal of the above supplementary statement reveals that there had been frequent quarrels between the petitioner and the deceased, which was the motive for the petitioner to commit the crime in question. Furthermore, in case the petitioner was innocent, it is very strange that it was not the petitioner but the sister of the deceased, who approached the police at the first instance and lodged the FIR in question. Still further, had the petitioner been innocent he would not have chosen to keep quiet for as long as nine days after his wife was found missing; the least that the petitioner would have done, in the circumstances, is to at least lodge a missing report or try to get in touch with the relatives of his deceased wife to find out about her whereabouts, more so when admittedly he had an infant child. Instead, the petitioner had been roaming around freely in the city despite his wife being untraceable.

7. Learned State counsel has also contended that the trial has been progressing at a reasonable pace, with 4 out of the 28 prosecution witnesses already examined. It has been further submitted that the trial



is at a crucial stage and in case the petitioner is enlarged on bail, there is every likelihood that he could abscond or even intimidate the remaining witnesses.

8. I have heard learned counsel for the parties and perused the relevant material on record.

9. Prima facie, there are serious and grave allegations levelled against the petitioner. This Court, in the aforementioned facts and circumstances and keeping in view the stage of trial, does not deem it fit to extend the concession of bail to the petitioner. The petition is accordingly dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 7, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No