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person named as an accused therein nor any suspicion raised regarding the involvement of any person much less the petitioner. Furthermore, when the police arrived at the scene of crime after the occurrence in question they were unable to uncover any leads regarding the twin murders, despite the presence of CCTV cameras in the vicinity.

3. Learned counsel for the petitioner has further argued that curiously enough, two days later, the complainant made a supplementary statement, claiming that he had learned from his own sources that the petitioner along with five others, was responsible for the murders. Learned counsel has emphasized that there were no eyewitnesses to the occurrence in question, no extra-judicial confessions were made by any of the accused, and no clear motive was attributed to the petitioner for committing the crime in question. Rather it was vaguely mentioned in the supplementary statement (Annexure P-3) that there had been prior altercations between the deceased and the accused party. Given these circumstances, learned counsel for the petitioner has submitted that this raises a significant doubt about the version brought-forth by the prosecution.

4. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner does not dispute that the case at hand hinges on circumstantial evidence and that, apart from the supplementary statement made by the complainant, no other incriminating

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evidence has been collected by the investigating agency to link the petitioner with the twin murders.

5. However, learned counsel for the State, on instructions, has submitted that following the recording of the supplementary statement, the petitioner was arrested on 01.05.2023 during which he suffered a disclosure statement admitting to his involvement in the crime in question along with the co-accused; the petitioner confessed to holding the arms of the deceased, Anil Kumar, while the other accused inflicting fatal injuries on the person of the deceased. Learned State counsel, on further instructions, has conceded that there is no specific motive attributed to the petitioner to commit the crime and the incident apparently was on account of a sudden quarrel between the parties, which led to the deceased receiving fatal injuries.

6. On a pointed query put to the learned State counsel as to whether any recovery of the weapon of offence was affected from the petitioner, he, on instructions, has replied in the negative. On further query, it has not been disputed by the learned State counsel that charges have since been framed and the next date fixed before the trial Court is 04.09.2024 when the prosecution evidence is likely to commence. It has also not been disputed by the learned State counsel that the petitioner is not involved in any other criminal case.

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

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8. Before proceeding further, it would be apposite to reproduce the contents of FIR in question, which are as under:

"Statement of Sachin son of Satish Kumar resident of tenant in House No. 178, Gali No. 06, Old Bishan Nagar, Police Station Lahori Gate, Patiala, District Patiala aged about 20 years, Mob. No.99146-24538, 62395-10224. Stated that I am a resident of above said address and do household work. We are four sisters and brothers. My eldest brother is Aman, younger to him is my sister Naina and I am younger to her and youngest brother is Nakul. My brother Nakul aged about 17/18 years, used to live at home only. Yesterday i.e on 23.04.2023, 1, my brother Nakul and his friend Anil Kumar Chottu son of Durga Prashad resident of House No. 34. Shaheed Bhagat Singh Colony, Patiala aged about 21 years, were sitting at my home and eating and drinking and at about 12.00 night, my brother Nakul had gone with his friend Anil Kumar on his motor cycle towards Railway Station Patiala for taking cigarettes etc.. Then at about 05.05 A.M, I received phone call from house of friend of my brother that Anil Kumar and Nakul had a quarrel near Corner Hotel Patiala and they are lying their smeared with blood. Then I after taking along my father Satish Kumar reached Corner Hotel, Opposite Bus Stand Patiala, where a lot of people had gathered at the spot and the people told me that two boys have died at this spot during quarrel and their dead bodies have been taken to Rajindra Hospital Patiala. I along



with my father reached Rajindra Hospital, Patiala and identified the dead bodies of my brother Nakul and his friend Anil Kumar lying in mortuary. Then I along with my father was coming to Police Station Lahori Gate Patiala for lodging the report regarding taking action against the unknown person/persons killing my brother Nakul and his friend Anil Kumar that you along with police party met near Traffic lights roundabout near Bus Stand Patiala. I have got recorded my statement with you in presence of my father Satish Kumar. I have read and heard it, which is correct. Appropriate legal action be initiated against unknown person/persons. Sd/- Sachin”

9. In the facts and circumstances as enumerated hereinabove coupled with the fact that the investigation in the present case is complete, as challan stands presented, this Court deems it fit to extend the concession of bail to the petitioner.

10. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on her furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

11. 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.

23.08.2024
sonia

(MANJARI NEHRU KAUL)
JUDGE

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