



CRM-M-42773-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
211 CRM-M-42773-2023
Date of decision: 5th November, 2024

Ravinder Singh @ Gagan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. K.S. Brar, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking regular bail in case bearing FIR No. 55 dated 25.09.2022 registered under Sections 302, 201, 364, 342 read with Section 34 of IPC at Police Station Bhadaur, District Barnala.

2. As per the prosecution case, on 24.09.2022, a statement was recorded by complainant Jasbir Kaur that her younger son Harpreet Singh @ Kalu used to ply a taxi bearing No. PB-03AG-0848 at taxi stand Bhadaur. On the night of 21.09.2022, he had received a phone call on his phone and thereafter had left home while informing the complainant that he had to carry some passengers and would be back after some time. However, he did not return. The complainant kept on searching for him but could not receive any information about her son. She alleged that she had come to know that her son had left on the night of 21.09.2022 on receipt of a call made by the present petitioner and co-accused Avtar Singh @ Hani, Sukhdeep Singh @



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Mani and Kala @ Watta. She raised suspicion that the petitioner and the above named persons abducted her son and had taken his vehicle. On the basis of her statement, initially a case under Sections 342 and 364 read with Section 34 of IPC was registered. Investigation proceedings were initiated. On 25.09.2022, witness Nachattar Singh reached at the police station and recorded his statement that he had overheard the petitioner and co-accused while making conversation about killing the victim Harpreet Singh and throwing his dead body in canal on account of dispute for a sum of Rs. 6000/-. On the basis of this statement, offences under Sections 302 and 201 of IPC were added. On the same day, dead body of the victim was recovered from the Sirhind Canal Feeder. Inquest proceedings and post-mortem examination of the dead body were conducted.

3. As per the allegations, subsequently, the complainant made a supplementary statement alleging that the accused Sukhdeep Singh @ Mani had borrowed a sum of Rs. 10,000/- from her son and had returned an amount of Rs. 4,000/- only and was not returning the remaining amount despite repeated request and it was he who along with the co-accused had committed the murder of her son. The petitioner and co-accused Sukhdeep Singh and Rajinder Singh @ Kala were arrested on the same day, whereas co-accused Avtar Singh @ Hani @ Amarjeet was arrested on 27.09.2022. Co-accused Rajinder Singh @ Kala suffered a disclosure statement that he along with the petitioner had pledged the mobile phone of the victim after committing his murder to one female and recovery of the said mobile phone was effected at his instance from one Shinder Kaur. Investigation has since



been completed and the petitioner along with the co-accused 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. The complainant had got a DDR registered on 24.09.2022, wherein she had disclosed that her son had gone to meet his in-laws family and on the next day a totally different version has been taken. It is a case of circumstantial evidence. No evidence to link the petitioner with the subject crime has been found during the investigation. He has been implicated in this case on the basis of statements allegedly recorded by Nachattar Singh and Labh Singh about overhearing some conversation of the petitioner with the co-accused and on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. No particular change of circumstantial evidence had been established after investigation as against the petitioner. Trial is likely to take time. No useful purpose would be served by detaining him in custody anymore. He is in custody since long. Therefore, it is urged that he deserves to be extended benefit of bail.

5. Status report has been filed by respondent-State. It is argued by learned State counsel that the petitioner along with the co-accused was named in the FIR itself and evidence has been collected during the course of investigation that the mobile phone belonging to the deceased had been given by him and co-accused Rajinder Singh @ Kala to one Smt. Shinder Kaur from whom the same had been recovered. There are sufficient circumstances to connect him with the murder of the victim. The trial is



going on at a proper pace. There are chances of petitioner’s absconding, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the petitioner as well as learned State counsel 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 after abducting him and is also alleged to made an attempt to cause disappearance of the dead body and evidence of offence of murder of the victim. The mobile phone belonging to the victim is alleged to have been given by him and co-accused Rajinder Singh @ Kala to one Smt. Shinder Kaur, whose statement has been recorded by the police. There is nothing on record to suggest that there would be any undue delay in conclusion of the trial. The allegations against the petitioner are serious in nature. Keeping in view the nature of allegations, the quantum of sentence which the conviction may entail and the attendant facts and circumstances 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. Hence, the same is dismissed.

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

[MANISHA BATRA]
JUDGE

5th November, 2024

Parveen Sharma	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No