



212

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58585-2024
Date of decision : 28.11.2024

VARINDER SINGH ALIAS BHINDI ALIAS KAKAPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Prem Singh Bhangu, Advocate
for the petitioner.

Mr. I.S. Kingra, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case F.I.R. No.200 dated 11.10.2022 registered for the offences punishable under Sections 302, 506, 120-B, 148, 149, 201, 34 of the Indian Penal Code and Section 25/27/54 of Arms Act, 1959 at Police Station Sadar Tarn Taran, District Tarn Taran.

2. FIR was registered on the statement of Ajaib Singh son of Gurbachan Singh who alleged as under :

“xxxx Stated that I am resident of aforesaid address. I am running a shop under the name & style of Dhaba & Fateh Collection on service road in front of village Aladeenpur highway bridge. I am having two sons. Elder son Gurjant Singh, aged about 30 years and younger to him is Jobanpreet Singh, who is residing in Canada. On

2024.PHHC:157590



11.10.2022, I alongwith my son Gurjant Singh and son of my brother-in-law (wife's brother), namely, Jagjeet Singh son of Balwinder Singh, resident of Jhamka were present on my shop Fateh Collection, then, at about 4-00 PM, Gurkirat Singh alias Ghuggi son of Darshan Singh son of Jagir Singh, resident of Shero, Police Station Sarhali and Ajmeet Singh s/o Major Singh r/o Patti Naushehra Pannuan, Police Station Desu Ki Sarhali, entered into our shop and asked my son Gurjant Singh to show clothes to them and my son Gurjant Singh and Jagjeet Singh were showing clothes to them, then, all of sudden, they both after taking out their respective pistols, with intent to kill my son, fired shots directly aiming my son Gurjant Singh and on sustaining bullet shots, my son fell on the floor and then I and Jagjeet Singh raised alarm 'Mar Diya' 'Mar Diya', then both the aforesaid accused. persons while extending threats fled away from the spot along with their respective weapons. I take care of my son Gurjant Singh, who, because of bullet shots had died on the spot. Cause for grudge is that a case for partition of house is going on with my brother Nishan Singh and Nishan Singh is employed in Punjab Police, who had died on account of accident about one and a half year ago on Harike barrier. Now, his son Arshdeep Singh alias Batti has grown up and is having connections with Lakhbir Singh alias Landa son of Niranjan Singh resident of Hariko, who is gangster and presently resides in Canada. nephew Arshdeep Singh often used to get a known My me threatened from Lakhbir Singh alias Landa, aforesaid and some days back, Rs.20 lacs was demanded from us. ransom worth Now, for the last few days my nephew Arshdeep Singh has been apprehended by Delhi Police and he is also suspecting that he has been got apprehended by us and because of this, today, on the asking of my nephew Arshdeep Singh, Lakhbir Singh alias Landa, gangster from his persons Gurkirat Singh alias Ghuggi and Ajmeet Singh, aforesaid sent to our shop and because of non-payment of ransom money by us, got my son Gurjant Singh killed by firing shots. I making Jagjeet Singh, son of my brother-in-law to guard the dead body of Gurjant Singh son my was

2024.PHHC.157590



proceeding to the Police Station to inform, but you met me on the way. the accused persons Legal action against may be initiated. Statement has been got recorded. Heard and the same is correct. Sd/- Ajaib Singh.”

3. Petitioner was not named in the FIR. His name came up in the disclosure suffered by Ajmeet Singh @ Major Singh recorded while in police custody on 24th of October, 2022 and that of Ravisher Singh alias Ravi recorded on 18th of October, 2022. Disclosure made by both the aforesaid persons led to recoveries. The petitioner is behind bars since 18th of October, 2022. Report under Section 173 Cr.P.C. was filed on 10th of January, 2023. Charges were framed on 29th of April, 2024. None of the 37 cited witnesses could be examined till date.
4. State Counsel is not in position to dispute the aforesaid factual assertions made by counsel for the petitioner based on record.
5. I have heard counsel for the parties and have gone through records of the case.
6. Without commenting on the merits of the case, keeping in view the incarceration suffered by the petitioner, nature of allegation against him and the fact that the investigation stands concluded about two years back and none of the witnesses could be examined till date, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

2024.PHHC.157590



7. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

November 28, 2024			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No