



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

CRM-M-1415-2025
Date of decision: 25.02.2025

Jora Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Munish Behl, Advocate for
Mr. Vishal Aggarwal, Advocate for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS, 2023 seeking grant of regular bail in case having FIR No.396 dated 22.09.2023, under Sections 302, 201 and 120-B IPC, Police Station Pundri, District Kaithal.

2. The allegations in nutshell are that complainant (a police official) received secret information on 22.09.2023 to the effect that on 12.08.2023, Gurdeep Kaur daughter of Jagga Singh son of the present petitioner, eloped with Rohit son of Rambhaji and in this regard, FIR No.331 dated 12.08.2023, under Sections 363, 366-A was registered in Police Station Pundri, on the basis of complaint lodged by Jagga Singh. Subsequently, Rohit was arrested on 13.08.2023 and Gurdeep Kaur started living with her parents. Jagga Singh feeling embarrassed, as his daughter ran away with Rohit who belongs to scheduled caste community, killed Gurdeep Kaur by strangulating her on the night of 16.09.2023 and with an intention to destroy the evidence, he cremated the dead body of his daughter with the help of Sunil Kumar and Dilbagh Singh. The petitioner who is grand father of the deceased was not named in the FIR but was later on



arrested in the present case.

3. The counsel for the petitioner inter alia submits that the petitioner is falsely implicated in the present case. The petitioner was not named in the FIR and later on nominated as an accused on the basis of statement of one Sewa Singh. However, the said statement of Sewa Singh was recorded after about two months of the alleged occurrence. It is further submitted that the said statement is an after-thought. It is further submitted that the disclosure statement if any, made by co-accused Jagga Singh with regard to involvement of the present petitioner is also of no consequence in the absence of any independent corroboration. It is further submitted that the petitioner is incarcerated for the last more than 1 year and 4 months and is having no criminal history and further it will take time for trial to conclude. That in the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in judicial custody for any longer period.

4. Reply by way of an affidavit of Gurvinder Singh, Deputy Superintendent of Police, AEC Kaithal filed on behalf of the State is taken on record along with documents Annexure R-1 to R-3.

5. The present petition is resisted by the State counsel who submits that no doubt, the petitioner was not named in the FIR but later on, it has come on the record that petitioner also helped his son Jagga Singh in commission of the crime. Subsequently, the petitioner was arrested and is behind bars for the last more than 1 year and 4 months. The State counsel has not disputed the fact that the statement of Sewa Singh who named the present petitioner, was recorded after about 2 months of the incident and the another incriminating evidence against the petitioner is disclosure statement of co-accused Jagga Singh.

6. I have considered the submissions made by counsel for the parties.

7. Apparently, there was no eye witness to the alleged occurrence and the entire case is based on circumstantial evidence. Admittedly, the petitioner was not named in the FIR and was later on nominated as an accused on the basis of statement of one Sewa Singh son of Sultan Singh dated 16.11.2023. Admittedly, the said statement was recorded after about 2



months of the incident. The veracity of the said statement of Sewa Singh recorded by the police under Section 161 Cr.P.C and the disclosure statement if any suffered by co-accused Jagga Singh will be tested during trial. The petitioner is in custody for the last more than 1 year and 4 months and is having no criminal antecedents. It also appears that the trial is at its initial stage. In the given circumstances, further detention of the petitioner in judicial custody is not going to serve any purpose.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.02.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No