



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

106

**CRM-M-4832-2025 (O&M)
Date of Decision: 15.05.2025**

Jatinder Singh alias Tejinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. G.S. Brar, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Vishal R. Lamba, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for seeking bail pending trial in FIR No. 179 dated 10.09.2024, registered under Sections 103(1) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959, registered at Police Station Sadar Khanna, District Ludhiana.

2. Allegations are that petitioner along with other co-accused hatched conspiracy and committed murder of complainant's father, namely, Tarlochan Singh by inflicting gunshot injuries.

3. Contends that matter has been amicably settled between the parties i.e. petitioner as well as *de facto*-complainant.

4.1 Further contends that petitioner was arrested in the present case on 13.09.2024 and challan has already been presented on 09.12.2024, but



charges are yet to be considered. Still further contends that after remaining in custody for about 07 months, petitioner was granted interim bail by this Court on 03.05.2025 and in pursuance thereof, he is regularly appearing before learned trial Court.

4.2 Again contends that there is no allegation that in case petitioner is granted bail, he shall misuse the concession or hamper the proceedings/trial in any manner; thus, no useful purpose would be served by keeping the petitioner behind bars any further.

5. Learned State counsel, on instructions, submits that petitioner is regularly appearing before learned trial Court. He also acknowledged that petitioner has not misused the concession of interim bail in any manner and there is no other case pending against him; however, learned State counsel is not aware about the compromise, if any, arrived at between the parties i.e. petitioner as well as *de facto*-complainant; but opposed the prayer.

6. On the other hand, learned counsel for the complainant on instructions submits that name of the petitioner was mentioned due to some inadvertence and now things have been cleared. He also submits that ultimately, it is found that petitioner was not involved in the commission of alleged crime.

7. Heard learned counsel for both the sides and perused the paper book.

8. This Court granted interim bail to the petitioner on 03.05.2025 in the following manner:-

“ Contends, inter alia, that complainant side is not supporting the allegations levelled against the petitioner as well as co-accused Kulwinder Singh in FIR No. 179 dated 10.09.2024 registered under Sections 103(1) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’)



and Section 25 of Arms Act, 1959 at Police Station Sadar Khanna, District Ludhiana.

Learned State counsel seeks time to verify the above factual position.

Posted for 15.05.2025.

In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

*Be shown in the **Urgent** list.”*

9. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. Apart that, learned counsel for complainant has acknowledged the factum of compromise effected between the parties.

10. Although, learned State counsel has shown ignorance about the compromise and opposed the prayer while submitting that allegations against the petitioner are serious in nature. But, for the purpose of bail, this Court will not ignore the fact that as on today, complainant side is having no grudge against the petitioner. Moreover, challan has already been presented, but charges are yet to be considered; therefore, trial is likely to take sufficient time, hence in such a scenario, there is no justification to keep the matter pending and/or to send the petitioner in custody at this stage.

11. In view of the above, present petition is allowed. Interim bail granted to petitioner, vide order dated 03.05.2025, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



12. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

13. The above observations be not construed as an expression of opinion on the merits of the case.

14. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

15.05.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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