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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6825 of 2025
Date of Decision:03.04.2025
Reserved on: 26.03.2025

Ritik ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. L.M. Gulati, Advocate,
for the petitioner.

Ms. Swati Batra, DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
66	25.07.2024	Badali Ala Singh, District Fatehgarh Sahib	124(1) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and (103(1), 318(4), 316 and 61(2) of BNS added later on) (109 of BNS deleted later on)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was initially registered on the basis of statement recorded by Balwinder Kaur wife of victim Amandeep Singh, on the allegations that on the night of 25.07.2024, an

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unknown person had thrown some flammable substance/acid through window of her house on her husband while he was sleeping. Her husband had woken up and raised a clamour as his body had started burning. The complainant who was sleeping with her two daughters in the same room, had also woken up and saw that there was heavy smoke in the room. The clothes and body of her husband had been severely burnt. She raised alarm and tried to save her husband by pouring water over him. The injured was rushed to the hospital. She also informed that while leaving the room, she heard sound of some person climbing over the stairs and fleeing from there.

3. As per the further allegations, on 29.07.2021, Harmandeep Kaur daughter of Balwinder Kaur and the victim recorded a statement before the Investigating Officer informing that there was an FDR of an amount of Rs. 8,00,000/- in the name of her grandfather Surjant Singh who had died on 17.03.2024. On 23.07.2024, she herself along with her father had gone to Indusind Bank to open an account and found that the amount of the above FDR had been got released with money withdrawn through multiple transactions on different dates. On making inquiry, her mother Balwinder Kaur i.e. co-accused admitted that she withdrew that money. When she was questioned, she became argumentative which resulted in quarrels at their home. She further informed that on hearing the alarm raised by her father on the fateful night, she too had woken up and found smoke coming from the bed where her father was sleeping. She also disclosed that Balwinder Kaur had left the room without trying to rescue her father and also that upon confronting with her mother i.e. accused Balwinder Kaur, she admitted that,

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she was the one who poured acid on the victim. On the basis of her statement, offence under Section 109 of BNS was added. Accused Balwinder Kaur was nominated as an accused. She was arrested on 29.07.2024. On interrogation, she suffered a disclosure statement admitting her involvement in the subject crime and also about the fact that after death of her father-in-law, she had found FDR in his name in a wardrobe. Therefore, out of greed, she contacted the accused Ravinder Singh seeking assistance in getting the amount of the FDR released and had got the same withdrawn with his help. She also disclosed that when the factum of withdrawal had come to notice of her husband and daughters and she was confronted by them. Feeling scared, she contacted the accused Ravinder Singh and then poured acid on her husband.

4. On the basis of statement of Balwinder Kaur, the above named Ravinder Singh was nominated as an accused. He was arrested on 05.09.2024 and admitted the factum of his involvement in getting the amount of FDR in the name of father-in-law of the complainant released and withdrawing the money from the said FDR. The accused Balwinder Kaur and Ravinder Singh also disclosed about the involvement of the petitioner in withdrawal of money deposited in the name of father-in-law of the accused Balwinder Kaur on the basis of which the petitioner was nominated as an accused. He was arrested and suffered disclosure statement to the effect that on 18.06.2024, accused Balwinder Kaur had given her debit card and mobile phone attached to the bank account of her father-in-law and he had transferred the amount of FDR in the said bank account.

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5. As per the allegations, the victim Amandeep Singh succumbed to his injuries and died on 17.09.2024. Investigation now stands concluded.

6. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 07.09.2024. There is neither any allegation of his hatching any conspiracy with the co-accused for committing murder of the victim nor abetting any such offence or causing hurt to the victim. The petitioner does public dealing on behalf of the bank and the co-accused Balwinder Kaur had approached him for discontinuation of the FDR representing that her father-in-law was an aged person and further that her husband was a drunkard and she needed money for household expenses. She had not disclosed that her father-in-law had already expired. He had no malafide in helping the co-accused Balwinder Kaur in getting transferred the amount of FDR in the bank account of her father-in-law. He is in custody since long. The co-accused Ravinder Singh has been extended benefit of bail. On parity, he too deserves to be released on bail. His further incarceration would not serve any useful purpose. He does not have any criminal antecedents. Therefore, it is urged that he deserves to be released on bail.

7. Status report has been filed. Learned Deputy Advocate General, Punjab has argued that keeping in view the gravity of the allegations, the petitioner does not deserve to be released on bail.

8. This Court has considered the rival submissions.

9. As per the allegations, accused Balwinder Kaur in connivance with the present petitioner and accused Ravinder Singh had got released the

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amount of FDR in the name of her father-in-law, who had died by that time and had withdrawn the same by using ATM Card of her deceased father-in-law, in a fraudulent manner. The accused Balwinder Kaur is facing trial for murder of the victim. There is no allegation that the petitioner had connived with the co-accused to eliminate the victim or was part of any conspiracy hatched by her. Keeping in view the nature of the allegations as levelled against the petitioner, the period of his incarceration, the fact that the trial would take time and on parity but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned and further subject to the condition that he will not try to contact either of the prosecution witnesses or intimidate any of them during the course of trial and shall not leave the country without prior permission of the learned trial Court.

10. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

(MANISHA BATRA)
JUDGE

03.04.2025
Parveen Sharma

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No