



CRM-M-6844-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6844-2025
Decided on: February 11, 2025

Sameer Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Harlove Singh Rajput, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Sections	Police Station	District
Sameer Singh s/o Rulda Singh, aged 21 years	20	14.02.2024	302, 307, 325, 323, 341, 427, 148 & 149 IPC	Machhiwara	Ludhiana

2. Learned counsel for the petitioner contends that the incident of murder of deceased Pradeep Singh, by inflicting injuries by several persons upon him and his companions, had occurred at around 11.30 p.m. on 13.02.2024. Complainant – Amit Kumar has got lodged the FIR in



which he specifically named three persons, i.e. Jassu, Gopi and Ghogi, apart 4/5 other unknown persons. He also stated in the FIR that once the accused appear before him, he can recognize them (unknown assailants).

Further submits that after registration of the FIR on 14.02.2024, a supplementary statement of the complainant – Amit Kumar was also recorded on 15.02.2024, wherein he added few more names. This time, specific names given by him are – (1) Ashok Kumar; (2) Gaganpreet Singh @ Gagan; (3) Taranvir Singh @ Ladi; (4) Kabaddi; (5) Anmol Singh; (5) Ranjit Singh @ Jita; (6) Jaspreet Singh @ Jassa; and (8) Pradeep Singh. In the supplementary statement also, name of the petitioner is not disclosed by the complainant. However, the prosecution built up its case on the basis of the disclosure statement of one of the accused saying that in the said disclosure statement, the petitioner has been named, and thereupon after arrest of the petitioner on 26.02.2024, i.e. after about 13 days of the incident, a bamboo stick socked with blood was recovered from his possession. Some other recoveries such as clothes of injured are also projected to be recovered from the petitioner.

Learned counsel for the petitioner also argues that there is a sole eye-witness, namely, Amit Kumar, who has been examined in the Court also as prosecution witness, but nothing has been stated by the said eye-witness about the involvement of the petitioner – Sameer Singh. Also submits that the petitioner is aged about 21 years; no other criminal case has been registered against him; and that he is inside jail little less than one year. Thus, prays for grant of bail.



3. On advance notice, learned State counsel, produces the custody certificate dated 10.02.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 11 months and 13 days period inside jail and there is no other case registered against him.

4. On being asked by the Court, learned State counsel also informs that there are 33 prosecution witnesses and only one has been examined by now.

5. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that liberty of the petitioner has been curtailed by involving him in the present case only on the basis of the alleged disclosure statement, and the recoveries which have been projected by the prosecution. The authenticity of the facts mentioned in the disclosure statement and the recovery of clothes etc. would be heavily upon the prosecution to prove the culpability of the petitioner beyond doubt. As far as statement of Parvinder Kaur, who is wife of deceased Pradeep Singh, is concerned, no observation can be made at this stage because she is not an eye-witness or prosecution witness (as stated by learned counsel for the petitioner). It is also disclosed that the petitioner is not involved in any criminal activity. Trial appears to be moving at a low pace and the proceedings are not likely to be culminated very soon. Thus, the



petitioner, whose implication is yet to be ascertained, cannot not kept behind bars for indefinite period.

6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 11, 2025
Pkapoor

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO