

2025:PHHC:066101



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

CRM M-11104 of 2025

Date of Decision: 16.05.2025

Jasdeep Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshay Chadha, Advocate and
Ms. Akash Deep Kaur, Advocate for the petitioner.

Mr. Ravneet Joshi, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant regular bail in case FIR No.51 dated 11.05.2024 registered under Sections 304 IPC at Police Station Dugri, District Police Commissionerate, Ludhiana.

2. Learned Senior counsel submits that the FIR in the present case was registered on the basis of the complaint filed by Harpreet Singh, brother of the present petitioner. Learned senior counsel further submits that in the present case Harpreet Singh, complainant had alleged that he was resident of Canada, whereas his

brother Jasdeep Singh, petitioner was residing at Ludhiana. The petitioner had been living separately from his parents, however, about 8/9 months ago, the petitioner and his wife started living with the complainant as well as their parents. However, Gurmeet Singh, father of the petitioner and complainant was not happy with the present petitioner and used to complain to the complainant about the behaviour of the petitioner. At about 05.00 a.m., on 05.03.2020, the complainant received a call from the petitioner and the petitioner informed him that their father Gurmeet Singh had passed away on account of suffering a heart attack. However, the complainant did not believe him and was of the firm opinion that the petitioner and his wife had killed Gurmeet Singh on the night intervening 4/5.3.2020, under the greed of property. Learned senior counsel submits that the petitioner has been falsely involved by Harpreet Singh, real brother, on account of property dispute between both the brothers. In fact, there was no dispute between the petitioner and his father Gurmeet Singh and parents of the petitioner are living with him only. Even, as per the postmortem report, Gurmeet Singh had suffered following two injuries on his person, which could not have caused the death of a human being:-

“(i) A lacerated wound MS 3 X 0.4 cm on left eyebrow bone deep underlying frontal and roof of outer are fractured.

(ii) Black eye left swollen, left lower eye lid”.

3. After the death of father of petitioner Gurmeet Singh due to heart attack, statements of Harpreet Singh, i.e., the present complainant, Smt. Satinder Kaur, wife of deceased (mother of the petitioner) were recorded under Section 174 Cr.P.C. and a GDR (Annexure P-3) was recorded in this regard. Both the complainant as well as the mother of the petitioner did not raise any suspicion against the present petitioner or any other person rather they stated that at about 05.30 p.m., on 04.03.2020 Gurmeet Singh had gone out of the house for consuming liquor and returned at about 10.30 p.m. When he came back, there was a mark of injury over the eye brow of his left eye, which was covered by bandage. Gurmeet Singh told that he had fallen down as he was drunkard. Gurmeet Singh was served the meal and he went to sleep, however, in the morning, he was found dead. Even a detailed inquiry was conducted into the allegations levelled by the complainant by the Assistant Commissioner of Police, South Ludhiana and he prepared a detailed investigation report dated 24.12.2020 (Annexure P-4). Again, he found that no action was required to be taken on the complaint filed by the present complainant. However, on the directions of the Punjab State Human Rights Commission, the FIR in question was registered on 11.05.2024, i.e., after more than 04 years of the occurrence and the petitioner was wrongly arrested on 08.01.2025. Learned senior counsel further submits that in fact there was no reason for the petitioner to commit the murder of his father. Even, the petitioner and

his father were living together and his mother was also residing with them. Even, the complainant as well as the mother of the petitioner had not raised any finger of suspicion on the petitioner and the police also could not find any incriminating evidence against the petitioner. However, he was wrongly arrested on 08.01.2025 and he is in custody since then. In the present case, the challan has already been presented against the petitioner and the petitioner is not in a position to influence the witnesses.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner is the main accused and had committed the murder of his own father, namely, Gurmeet Singh. Thus, keeping in view the gravity of the offence, the petition deserves to be dismissed by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, admittedly, the death of Gurmeet Singh had taken place on 05.03.2020 whereas the FIR has been got registered by the complainant on 11.05.2024. On earlier occasion, while conducting the proceedings under Section 174 Cr.P.C., the statement of the present complainant, namely, Harpreet Singh and Ms. Satinder Kaur, wife of the deceased (mother of the petitioner) were recorded and they had clearly stated that the petitioner was not at fault. Now, after a period of more than 04 years, the FIR has been

registered by the police on 11.05.2024, with the intervention of the Punjab State Human Rights Commission. Thus, the prosecution is yet to lead evidence with regard to the involvement of the petitioner in the crime. At this stage, this Court finds that the petitioner is in jail for the last more than 04 months and challan has already been presented against him.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

16.05.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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