



CRM-M-12500-2025

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

CRM-M-12500-2025

Date of Decision: 14.05.2025

Som Raj @ Som Lal @ Soma

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Fatehjeet Singh, Advocate and
Mr. Vishal Sauda, Advocate, for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.134 dated 08.08.2019 under Sections 302, 201, 34 IPC registered at Police Station Mehatpur, District Jalandhar Rural.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Shindo wife of late Gurmej Singh. It was alleged that her husband Gurmej Singh was doing work of Raj Mistri and left home on 07.08.2019 at about 06:30 a.m. alongwith contractor Paramjit Singh @ Pamma and Inderjit Singh @ Bheema on their motorcycle. Thereafter, at about 04:00 p.m., she came to know that her husband Gurmej Singh was lying on kutcha path on roadside. She alongwith her grandson Sunny and her nephew Varinder Singh reached the place and they found that various injuries have been caused on the body of her husband. His husband was taken to Civil Hospital, Nakodar, where he was declared dead. The complainant alleged that Paramjit Singh @ Pamma and his accomplice Soma (petitioner) killed her husband Gurmej Singh by



making him drunk and thereafter caused injuries to him. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. During the investigation, the petitioner could not be arrested and he was declared as proclaimed offender vide order dated 17.03.2021. Thereafter, he was arrested on 19.03.2024. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 14.08.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that case of the prosecution is based on circumstantial evidence. It is submitted that the complainant herself alleged that her husband Gurmej Singh left home on 07.08.2019 alongwith Paramjit Singh @ Pamma and Inderjit Singh @ Bheema, however, Inderjit Singh @ Bheema was not arrayed as accused, whereas, the petitioner merely on the basis of suspicion was arrayed as an accused. It is submitted that co-accused Paramjit Singh @ Pamma has already been enlarged on bail by this Court vide order dated 10.08.2020. He submits that except the allegations made by the complainant, there is no other evidence against the petitioner for showing his complicity in the alleged offence. He submits that the complainant i.e. wife of the deceased, and son of the deceased were examined as PW-1 and PW-2, respectively and both have not supported the



case of the prosecution. He submits that the petitioner is behind bars since the date of his arrest and till date there is no progress in the trial. Thus, it is submitted that case of the prosecution being without any evidence against the petitioner, he deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner was *prima facie* was established during investigation. He submits that the petitioner alongwith co-accused had committed the murder of the deceased after making him drunk. He has placed on record the custody certificate of the petitioner and the postmortem report of the deceased. On instructions, he submits that as the petitioner was declared proclaimed offender, hence, after his arrest, now supplementary challan has been presented.

5. After hearing counsel for the parties and perusing the record, it is inferred that case of the prosecution is based on circumstantial evidence. The allegations were made against the petitioner by the complainant who is wife of the deceased. During the course of trial, wife of the deceased and son of the deceased were examined as PW-1 and PW-2, respectively and both of them have not supported the case of the prosecution. Co-accused Paramjit Singh @ Pamma has already been granted regular bail by this Court vide order dated 10.08.2020. A perusal of the postmortem report of the deceased shows that no definite opinion could be given regarding death of the deceased. Though the petitioner is prosecuted in other cases, however, in most of the cases, he has undergone the sentences awarded to him.

6. The veracity of the allegations would be assessed only after the

conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

	(RAJESH BHARDWAJ)	
	JUDGE	
14.05.2025	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No