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

**CRM-M-14110-2025
Date of Decision:30.04.2025**

SURINDER SINGH ALIAS CHHINDU

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Avtar S. Khinda, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 of Cr.P.C. with a prayer to grant regular bail to him in case FIR No.135 dated 31.08.2021, registered under Sections 302, 34 of IPC, 1860 & Section 25 of the Arms Act, 1959, Police Station Sadar Jalandhar, District Police Commissionerate Jalandhar District Jalandhar.

2. As per the case of the prosecution, at about 12:00 PM on 31.08.2021, Murti Kumar @ Goldy, a neighbour of the complainant informed him telephonically that Hansraj @ Kaku, his brother was lying on thoroughfare and someone had inflicted injuries on him. On this, the complainant reached there with Rajinder Kumar, who told that he had seen Hansraj @ Kaku and Shashi on a motorcyle at about 10/10:30 AM. The dead body of Hansraj @



Kaku was lying on the ground with two bullet injuries. Initially, the suspicion was raised against the present petitioner.

3. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the petitioner had only taken away Jagpreet Singh @ Jagga on his motorcycle and only Jagpreet Singh @ Jagga had fired shots at Hansraj @ Kaku with his revolver and killed him. He further contends that except this, no role has been assigned to him. Learned counsel further contends that the petitioner was arrested in the present case on 13.09.2021 and he is in custody for the last about 03 years and 07 months. He further contends that only two witnesses out of total 22 witnesses have been examined so far and similarly placed co-accused Shashi Kumar has been admitted to bail by this Court vide order dated 08.02.2024 (Annexure P-4).

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He further submits that even two more cases have been ordered to be registered against him but he is on bail in both the cases.

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

6. The petitioner was arrested in the present case on 13.09.2021 and the prosecution has been able to examine only two witnesses out of total 22 witnesses so far. Further, it has been stated that the petitioner had only taken Jagpreet Singh @ Jagga on his motorcycle and as per prosecution Jagpreet Singh @ Jagga had fired the shot at Hansraj @ Kaku, since deceased. Further,



similarly placed co-accused Khushdeep Singh @ Khush and Shashi Kumar have been admitted to bail by this Court.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.*



(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

(viii) *The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.*

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

30.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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