



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-14932-2025

Date of Decision : 18.11.2025

UDHAM SINGH

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. R.S Randhawa, Advocate
for the petitioner.

Mr. Vishal Singh, AAG, Haryana.

Mr. Bhishan Kumar, Advocate and
Ms. Mansi, Advocate and
Mr. D.V. Singh, Advocate
for the complainant.

AARADHNA SAWHNEY, J. (ORAL)

1. This petition for grant of bail under Section 483 BNSS, has been filed by petitioner, a co-accused in case bearing FIR No.154 dated 03.12.2022 registered against him at Police Station Bhupani, District Faridabad, at the instance of Bittu Singh @ Bidar Singh (complainant), for the commission of offences punishable u/s 302 & 34 IPC and Section 25 of Arms Act (Section 120-B IPC & Section 25(8) and 27 of Arms Act added later on).

2. Relevant facts as emerging from the documents on record be noticed hereinbelow:-

Proceedings in the present case were set into motion by Bittu Singh @ Bidar Singh son of Jogendra Singh, an agriculturist by profession, who in his complaint pointed out that his father had purchased 5 acres of land in Village



Kidawali. After raising construction over some portion thereof, his parents had been residing there and were also engaged in farming activities. In 2018, his father had agreed to sell the entire land to one Akhtar, resident of Gaddha Colony Jaitpur, Delhi for Rs. 4,25,00,000/-. This agreement was executed by Akhtar in the name of his driver, namely, Kalu and at the said time, an advance of Rs.35 lakh was given by Akhtar to his father. Both the parties had agreed that the remaining amount would be paid in 22 months. Somehow, Akhtar could not pay the remaining amount in time, when it was made clear to him that the land would be cultivated by owners(complainant's family). Akhtar and Kalu got offended and openly threatened that if they are not allowed to sow the crops, the original owners will face with dire consequences. Further as per complainant, at 09.00 PM on 02.12.2022, he after visiting his parents had returned back to his home at Jaitpur. Few hours thereafter, i.e. on the intervening night of 02/03.12.2022, he received a call from his brother Saranjit Singh, who intimated that his (complainant's) father has been shot down. Immediately, thereafter, he rushed to the fields and also noticed bullet injuries on the dead body. He suspected that Akhtar and Kalu might have killed his father and requests the police authorities to initiate appropriate proceedings.

On the basis of the said complaint, a formal case vide FIR No.154 dated 03.12.2022, u/s 302 & 34 IPC and Section 25 of Arms Act (Section 120-B IPC & Section 25(8) and 27 of Arms Act added later on) was registered and criminal proceedings were set into motion. Postmortem was got conducted, bullet pieces recovered from dead body was taken into possession, photographs from the site were got clicked. A board of doctors constituted for conducting postmortem



examination opined that the deceased died due to shock and haemorrhage on account of Gun shot injuries on vital organs.

Few days thereafter i.e. on 24.12.2022, supplementary statement of complainant was recorded in which he raised accusing fingers towards present petitioner, namely, Udham Singh and one one Baljeet @ Babli.

Petitioner, whose name cropped in the supplementary statement of the complainant, was arrested on 25.12.2022. During interrogation, he confessed to his involvement and got recovered one country-made pistol, as also fired cartridge, which were taken into possession, sealed in parcel and later sent to FSL for examination. Petitioner also disclosed that he had purchased the illegal arms from one Kapil, who was also arrested on 30.11.2023. Co-accused Baljeet @ Babli also got recovered: (i) the motorcycle bearing registration No. HR51-Y-0679 (ii) one empty cartridge.

Police authorities also came to know that petitioner was using a mobile phone handset with SIM card bearing No.9560795387. The same was taken by him on the ID of co-accused Baljeet. It is further the case of the prosecution that FSL report confirms that the bullet recovered from the body of the deceased was fired from the country-made revolver recovered at the instance of the petitioner. Copy of the said report is appended as Annexure R-4. During further course of investigation, Section 34 IPC was deleted and Section 120-B IPC and Section 27 of Arms Act were added.

On culmination of investigation, challan completed in all respect was filed. Supplementary challan was also filed.

3. An application for grant of bail was filed by the present petitioner.

The same was dismissed by the learned Additional Sessions Judge, Faridabad, in



terms of order dated 15.01.2025. Aggrieved of the same, the present petition has been filed.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The same is apparent from the fact that on the basis of supplementary statement of complainant (son of deceased) recorded after approximately 18-20 days of the incident, petitioner was arrayed as accused. In the absence of any reasonable explanation forthcoming from prosecution side, the same is clearly suggestive of the fact that the original persons named in the FIR have deliberately been let-off. Continuing further, learned counsel has drawn the attention of the Court to the statement made on oath by complainant - Bittu Singh, who while appearing in the witness box as PW-1 reiterated the contents of the complaint and further deposed that only on the basis of information given by the police, he had come to know that present petitioner and Baljeet are also involved in the murder of his father along with Kalu and Akhtar. There was no prior enmity of petitioner with deceased or complainant, thus, there was no occasion for him to kill deceased. The motive attributed to the petitioner is also concocted story. Further weapon has been falsely planted on petitioner, only with a view to connect him with the commission of offence.

Towards the end, learned counsel submits that even though the relevant witnesses including complainant have been examined but despite that completion of trial in the near future is quite remote, for out of 34 prosecution witnesses only 06 witnesses have been examined. When appreciated in the light of submissions advanced hereinabove, it has been prayed that petitioner, who has been in custody since 25.12.2022 deserves a lenient view to be taken in his favour



by extending him the concession of bail, for his further incarceration would not serve any useful purpose.

5. Per contra, learned State counsel, as also learned counsel for the complainant, while vehemently opposing the present petition submit that Petitioner and co-accused Baljeet Singh had got the land of deceased - Jogendra Singh (father of complainant) released from the illegal possession of Akhtar, with whom deceased had executed an agreement to sell and had accepted some money also, but later, on account of non-payment of balance sale consideration, the sale deed could not be executed. Petitioner, and his accomplice had demanded 1000 square yards plot from deceased Jogendra Singh in lieu of getting the land released from aforesaid Akhtar but Jogendra had flatly refused. This refusal was not taken lightly by petitioner and his accomplice, who had fired gun shots at deceased on an earlier occasion as well. However, on the intervening night of 02/03.12.2022, in furtherance of their common intention to eliminate Jogendra, petitioner and co-accused Baljeet killed him by inflicting gun shot injuries.

Learned State counsel next contends that the FSL report confirming that bullet extracted from the body of the deceased was fired from the country-made revolver, recovered at the instance of the petitioner, clinches the issue and leaves no doubt that petitioner was involved in the gruesome killing.

Complainant, the son of deceased was not aware of these facts and thus, did not name the present petitioner in his initial statement given to the police authorities. He was truthful in his stand. During the course of investigations, certain facts were unearthed, which indicated involvement of the petitioner. Learned State counsel further submits that even the past antecedents of petitioner are far from satisfactory, as he is also involved in another case (FIR No. 97 dated 11.07.2020



u/s 147, 148, 323, 452, 506 IPC and Section 3 of SC/ST Act). In the scenario as above and in view of the seriousness and gravity of offence, long custody by itself, as per learned State counsel, cannot be a ground to grant concession of bail to him.

6. I have heard the learned counsel for the parties and with their able assistance, perused the record available on record.

7. In view of the submissions advanced by learned State counsel, but without adverting to the merits of the case, no case for grant of bail is made out in favour of the petitioner.

Resultantly, no case for grant of bail to the petitioner is made out and the present petition is hereby dismissed. In the meanwhile, learned trial Court is directed to make earnest efforts to conclude the trial expeditiously.

(AARADHNA SAWHNEY)
JUDGE

18.11.2025
Nisha Yadav

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No