



CRM-M-14814-2025(O&M)

1

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

111+230

CRM-M-14814-2025(O&M)

Decided on :28.10.2025

Aman Sandhu

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. Bareen Pratap Singh, Asst. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)**CRM-39973-2025**

- i) Present application has been filed under Section 528 of BNSS, for placing on record the certified copies of the entire statements of prosecution witnesses PW1 to PW4 as annexure P-6.
- ii) For the reasons enumerated in the application, same is allowed and the statements are taken on record as Annexure P-6.
- iii) Application stands disposed of.

CRM-M-14814-2025

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.174 dated 18.09.2024, under Section 103 of BNS, 2023, registered at Police Station Sadar, District Hoshiarpur.
2. FIR in the instant case was registered at the instance of one Sandeep Kaur on account of the death of her real brother, Varinder Kumar s/o Chanan Ram. As per the allegations in the FIR, there was an

**CRM-M-14814-2025(O&M)****2**

ancestral house in the village jointly owned by six brothers and sisters. Kulwinder Singh (another brother of the complainant, Sandeep Kaur) had already sold his share to one Sansar Chand, while the shares of all four sisters, including the complainant, had been given to their brother, Varinder Kumar, with mutual consent, as he was unmarried. Consequently, it was Varinder Kumar who was in possession of the entire house.

It is further alleged in the FIR that Kulwinder Singh intended to take possession of the house and had expressed this intention to several respectable persons. Kulwinder Singh and his son, Aman Sandhu (petitioner herein), often quarrelled with Varinder Kumar over the possession of the said house.

It is further alleged that on 18.09.2024, complainant was informed that her brother, Varinder Kumar, had been badly beaten up during the previous night and had died as a result. On the next morning, at about 9:30 a.m., complainant reached the spot, where she found her sister, Meena Kumari, her brother-in-law, Surinder Kumar, and one Balbir Singh present. The police had also arrived at the spot. Upon making enquiries from the residents of the locality, one Gurpreet Singh s/o Sansar Chand, a neighbour of the deceased Varinder Kumar, informed the complainant that at about 11:15 p.m., he had seen Aman Sandhu (petitioner herein) entering the house of Varinder Kumar. Based on this statement and the suspicion arising therefrom, instant FIR was registered



against Aman Sandhu (petitioner herein) for causing the death of Varinder Kumar.

3. Learned counsel for the petitioner argues that the prosecution case primarily rests upon the “last seen” evidence of Gurpreet Singh (a neighbour), who allegedly saw the petitioner entering the house of the deceased, Varinder Kumar.

4. Mr. Krishan Singh Dadwal, Advocate, has produced the statements of the witnesses whose depositions have been recorded by the trial Court, in Court today. Same is taken on record.

PW1 – Meena Kumari (sister of the complainant and the deceased) stated in her examination-in-chief *that on 18.09.2024, while she was at home, someone from her village informed her that her brother, Varinder Kumar, had been murdered by some unknown person. Thereupon, she reached the village along with the complainant. PW1 further stated that she does not know who murdered her brother, Varinder Kumar, and that she did not give any statement to the police.*

PW2 – Gurpreet Singh (neighbour) also clearly stated in his examination-in-chief that *Varinder Kumar was residing alone in the ancestral house and that Aman Sandhu is the nephew of Varinder Kumar. He categorically stated that he was not aware of any dispute between Varinder Kumar, his sisters, or his brother Kulwinder Singh, and that he did not know how Varinder Kumar had died. He further stated that he*



had never seen Aman Sandhu entering the house of Varinder Kumar and that he had not given any such statement to the police.

Referring to the statement of another material witness, namely **PW6-Sandeep Kaur** (sister of the deceased Varinder Kumar), learned counsel submits that she too has resiled from the prosecution version by clearly stating before the trial Court that *her brother was unmarried and was residing alone in the ancestral house. She further stated that her elder brother, Kulwinder Singh, had no dispute either with her or with their brother, Varinder Kumar, regarding the ancestral property. On 18.09.2024, while she was at her own house, someone from the village informed her that her brother, Varinder Kumar, had been murdered by some unknown person. She expressed complete ignorance as to who had murdered her brother and also stated that she had never given any statement to the police.*

Thus, learned counsel for the petitioner submits that petitioner is in custody for the period of more than one year and one month without there being any evidence against him. He further submits that the witnesses have not supported the prosecution version, and no motive can be attributed to the petitioner or to any other accused for the alleged murder of Varinder Kumar. Accordingly, he prays for the grant of bail.

5. On the other hand, learned State counsel opposes the grant of bail and submits that the mere fact of the witnesses having turned



hostile does not confer any right upon the petitioner to claim the concession of bail, as the final adjudication regarding the evidentiary value of their statements is yet to be made by the trial Court. Learned State counsel further relies upon the post-mortem report appended with the petition, wherein it is specifically mentioned that the deceased, Varinder Kumar, had sustained a total of four injuries on vital parts of the body, namely the forehead, scalp, both cheeks, and both eyelids. Accordingly, he prays for the dismissal of the bail petition.

6. I have heard the learned counsel for the parties and perused the relevant material on record.

7. Petitioner is related as the nephew of both the, deceased and the complainant. Whether any motive existed on the part of the petitioner is yet to be established. The recovery of any weapon, blood-stained clothes, or other incriminating material, if effected during the course of investigation, is yet to be adjudicated upon by the trial Court. As far as the evidence regarding the petitioner being lastly seen entering the house of the deceased is concerned, the same does not call for any comment or opinion at this stage of the proceedings in the instant bail petition. However, taking note of the circumstances in their entirety, this Court is of the view that no meaningful purpose would be served by detaining the petitioner any longer. Accordingly, this Court finds merit in the prayer of the petitioner, and 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. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of the evidence available on record, as expeditiously as possible in accordance with law.
9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

28.10.2025
Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No