

CRM-M-23534-2025
Date of Decision:18.08.2025

...Petitioner

VS.

...Respondent

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

Present : Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.101 dated 21.05.2022 registered under Sections 302, 379 of IPC (Sections 392, 34, 201 of IPC, 1860 added later on), at Police Station Sadar Tarn Taran, District Tarn Taran.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been falsely involved in the present case only on the basis of the suspicion. Even the occurrence had taken place in the present case on 20.05.2022, whereas, as per the prosecution, the petitioner had suffered an extra judicial confession on 30.05.2022 in the presence of Mandeep Singh and Barjinder Singh. By referring to testimony of Mandeep Singh-PW-3 (Annexure P-4), learned counsel submits that Mandeep Singh was closely related to Ranjit Singh, since deceased. In his testimony, Mandeep Singh admitted that Harpreet Kaur, wife of Ranjit Singh and his wife Mandeep Kaur

were real sisters. Still further, by referring to the testimony of Barjinder Singh-PW-7 (Annexure P-5), learned counsel submits that he had also admitted that Ranjit Singh (since deceased) was his maternal uncle. Thus, the story has been concocted by the prosecution to falsely involve the petitioner as the petitioner had no reason to suffer an extra judicial confession in the presence of close relatives of Ranjit Singh (since deceased). The petitioner was arrested in the present case on 30.08.2022 and is in custody for the last about 03 years. He next contends that since the material witnesses have already been examined in the present case, there are no chances of tampering with the prosecution evidence.

3. 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.

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

5. In the present case, the only evidence against the petitioner is of suffering an extra judicial confession in the presence of Mandeep Singh and Barjinder Singh on 30.05.2022 and the admissibility of such a statement is yet to be adjudicated by the trial Court. The petitioner is stated to be in custody since last about 03 years and the material witnesses have already been examined.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his

furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty
Magistrate/Chief Judicial Magistrate, concerned.

18.08.2025
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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned :
Whether reportable

Yes/No
Yes/No