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

**CRM-M-24056-2025
Date of decision : 19.08.2025**

Rani and others**.....Petitioners**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Rahul Sharma, Advocate
for the petitioners.

Ms. Simran Gorla, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioners have approached this Court by way of present petition praying for granting them regular bail in case FIR No.74 dated 04.06.2024, under Sections 302, 506, 120-B of IPC, registered at Police Station Meharban, District Ludhiana.

2. As per the facts of the case the present case was registered on the statement of complainant, namely, Sarabjit Kaur (PW-1). It was alleged that on 02.06.2024, her father, namely, Sukhwinder Singh (deceased) along with her brother, namely, Gurpreet Singh were trying to remove the sewage water that was collected outside their house. At about 9:30 pm, Amarjit Kaur and her husband Jagdish, Rani (petitioner No.1), Jaswinder Singh @ Bindar (petitioner No.2) and her son Golu @ Manpreet Singh (petitioner No.3) along with others started resisting the same. After the heated arguments, the dispute escalated and they all started beating her father Sukhwinder Singh. Amarjit Kaur pushed his father and as a result of which, he fell down and thereafter, Rani(petitioner



No.1) raised lalkara to teach him a lesson. Thereafter, petitioner No.2-Binder had gave a brick blow on the head of her father. Others also gave kick blow while he was lying down. Her father suffered injuries and thus, he was shifted to Civil Hospital, Ludhiana where he died on 03.06.2024. The request was made to take legal action against the culprits. On registration of FIR, investigation commenced. The petitioners were arrested on 10.07.2024. Petitioners approached the Learned Additional Sessions Judge, Ludhiana praying for grant of bail, however, finding no merit, their application were declined after hearing both the sides by Learned Additional Sessions Judge, Ludhiana vide order dated 18.04.2025. Aggrieved by the same, petitioners are before this Court by way of filing of present petition.

4. Learned counsel for the petitioners has contended that the petitioners have been falsely implicated in the present case. It is evident from the facts and circumstances of the case that both the sides are neighbours. He submits that the petitioners were alleged to be the part of unlawful assembly, however, during the trial the complainant, Sarabjit Kaur who is the daughter of the deceased, has been examined as PW-1 but she subsequently deposed in her examination-in-chief that accused persons present in the Court were not the persons who caused injuries to her father. Thus, she was declared hostile. To buttress his arguments, he further submits that wife of the deceased, namely, Paramjit Kaur, was examined as PW-2 and she also did not identify the accused persons and hence, she was also declared hostile. It is submitted that even otherwise the ocular version is not even medically corroborated. He submits that the petitioners have no criminal antecedents and the material witnesses are already examined. They are behind bars since the date of their arrest and

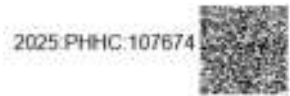


thus, in the facts and circumstances of the case, they deserve to be granted bail.

5. Learned State counsel, on instructions, has opposed the submissions made by the counsel for the petitioners and submits that the case of the prosecution is based on the eye-witness account. The petitioners were not only the part of the unlawful assembly but they have played an active role in committing the murder of the deceased. She submits that the cause of death is the head injury and thus, the ocular version is medically corroborated. She submits that though the wife and daughter of the deceased have turned hostile, however, their own examination cannot be discarded. On instructions, she submits that out of 18 prosecution witnesses, only 03 witnesses have been examined. She has produced the custody certificates of the petitioners in the Court.

6. On hearing counsel for the parties and perusing the record, it transpires that the occurrence had taken place on 02.06.2024. Both the sides are the neighbours. The daughter and wife of deceased were examined as PW-1 and PW-2 and both have not supported the case of the prosecution. As per custody certificates, petitioners have suffered an incarceration of more than 01 year. It further reflects that the petitioners have no criminal antecedents. The arguments raised regarding the deposition of the witnesses who have been declared hostile, the consistent part could be relied upon, would lie within the domain of the trial Court.

7. 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. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel



for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the petition is allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.08.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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