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

CRM-M-24750-2025 (O&M)

Date of Decision: 04.08.2025

BUTA SINGH

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. H.P.S. Rahi, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

CRM-29514-2025

For the reasons mentioned in the application, the same is allowed, subject to just all exceptions.

Annexure P-5 is taken on record.

Main case

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.0043 dated 25.10.2024, registered under Sections 105/3 (5) BNS, (later on Section 105 was



deleted vide GD no.13 dated 25.10.2024) and Section 103(1) added, Police Station Kacha Pacca, District Tarn Taran.

2. The FIR in the present case was registered on the basis of the statement made by Kulwant Kaur and the same has been reproduced below:-

“Statement of Kulwant Kaur wife of Charan Singh resident of village Margindpura Police Station Kacha Pacca aged about 40 years Mobile No.62803-72002. It is stated that I am resident of above-mentioned address and used to do household work. I am having three sons eldest Gurjant Singh, younger to him is Jagtar Singh and youngest is Mahabir Singh and I am having two daughters Rajbir Kaur and Rani. My youngest son Mahabir Singh is still unmarried and all other children are married. That near to our house the shamlat land of the village is situated where since long we used to make cow dung cakes and our neighbourer Buta Singh son of Kundan Singh resident of village Margindpura also used to put cow dung cakes at the said place and they used to stop us from putting cow dungs at the said place. Today at about 02:00 pm, I have gone to put cow dung cakes at such shamlat land and there Buta Singh son of Kundan Singh, Harman Kaur wife of Buta Singh and Aman Kaur wife of Sewak Singh residents of village Margindpura were already present and they stopped me from putting cow dungs at the said place and due to the said reason we had altercation with each other and all of them started scuffling with me and at the said time my husband Charan Singh who was present in the house on hearing our loud noises also came at the shamlat land in order to save me and he started saving me from the aforesaid accused persons and then all the three accused person started scuffling with my husband Charan Singh and he fell down and while he was lying down all three of them kept on giving fist blows upon my husband and also gave kick blows upon him. During this scuffle, my husband received injury on his genitals and we raised hue and cry and all the aforesaid accused person ran

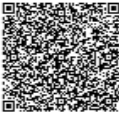


away from the spot. Thereafter, we after arranging the vehicle took my husband to Anand Hospital, Bhikhiwind where doctor after checking my husband outside the hospital itself declared my husband Charan Singh to be brought dead and thereafter, we brought the dead body of my husband Charan Singh to Civil Hospital, Patti. That I after leaving my son Mahabir Singh alongside the dead body of my husband Charan Singh have come to the Police Station for recording of my statement along with my son Jagtar Singh. The reason behind the incident is that Buta Singh and others used to stop us from putting cow dungs at the shamlat land. That I have got recorded my statement which has been read over and same is admitted to be true. RTI Kulwant Kaur verified by/- Jagtar Singh, Jagtar Singh son of Charan Singh resident of village Margindpura attested by Sd./- Jaspal Singh SI SHO Kacha Pacca dated 25.10.2024.”

3. Learned counsel for the petitioner contends that in the present case, there were no injuries on the person of the deceased and the offence under Section 103 of BNS has been wrongly added in the present case. Rather from the medical record, it is apparent that the deceased Charan Singh had died because of cardiac arrest. He further contends that the petitioner was arrested in the present case on 12.11.2024 and is in custody for the last more than 08 months.

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. However, he admits that Charan Singh had died because of cardiac arrest.

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



6. The petitioner is stated to be in custody for the last more than 08 months. Moreover, the prosecution has yet to lead evidence before the trial Court with regard to the involvement of the petitioner in the present case. Thus, the further custody of the petitioner will not serve any useful purpose.
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.
8. All other pending applications, if any, are also disposed off, accordingly.

04.08.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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