

2025:PHHC:161343



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

215+301

Date of decision: 19.11.2025

CRM-M-64006-2025

MANTU @ MINTU @ KULCHA @ MANTU YADAVPetitioner

VERSUS

STATE OF PUNJABRespondent

CRM-M-63384-2025

SUKHVEER SINGH ALIAS PALAPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Naveen Kuhad, Advocate
for the petitioner in CRM-M-64006-2025.

Mr. Himanshu Bansal, Advocate
for the petitioner in CRM-M-63384-2025.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. Both these petitions are being decided by common order as the same have been filed by two accused persons seeking concession of regular

bail in case bearing FIR No.304 dated 22.10.2023, registered under Section(s) 302/341/148/149 of the Indian Penal Code, 1860 at Police Station Civil Lines, Bathinda, District Bathinda.

2. As per prosecution story, the present FIR was registered on the statement of complainant Sant Ram, wherein he stated before police that on 22.10.2023, he accompanied his son, Sangram @ Kaku, and visited the house of their acquaintance, Manpreet Kaur @ Goshe, to know the well being of his father Gora Singh, whose leg had been amputated due to some disease. At about 6.30 PM, the complainant accompanied by his son, Sangram @ Kaku, and Manpreet Kaur @ Goshe, was going towards their old residential quarter and at about 7 PM, they reached near the shop of Azad Tailor. At that time, his son, Sangram @ Kaku, was a little ahead of them and the street lights were illuminated. The complainant further alleged that a group of accused including the petitioner, armed with various weapons, was seen coming from opposite side in the street. The complainant named the co-accused as Yadwinder Singh @ Bona, Sukhbir singh @ Pala, Anarjit, Butari, Vikas Goli, Jaini, Arvinder Kumar @ Kani, Ishu, Noni (brother of Ishu), Buchar Jassi, Ravi, Badku, Mintu @ Kulcha (petitioner), Batish (brother-in-law of Kulcha) and Ajay apart from 7-8 unknown persons. The complainant alleged that the group of accused encircled his son Sangram @ Kaku while proclaiming to teach him a lesson for causing injuries to Pala. Then all the accused inflicted injuries to his son with their respective weapons on his head, neck, face and other parts of the body, due to which his son fell on the ground and while he was lying on ground, accused persons kept on hitting his son with their weapons. The complainant intervened and raised alarm, which attracted lot of people at the spot and on

seeing them, the group of accused fled away from the spot with their weapons. The complainant saw his son lying on the ground, smeared with blood, and after arranging a vehicle, he took his son to the Civil Hospital, Bathinda. His son died due to these injuries that had been inflicted by the accused.

3. Learned Counsel appearing on behalf of the petitioner(s) contends that nearly 17 persons who have been nominated as accused in the present case and a total of 04 injuries were found on the body of the deceased. They contend that even though the FIR in question had been registered at the instance of the complainant-Sant Ram-father of deceased Sangram Singh, yet, the complainant as well as the eye-witness had not supported the case of the prosecution during their examination and have turned hostile. They further contend that there is no specific role attributed to the petitioner(s) and no recovery has been effected. It is further contended by the Counsel for the petitioner(s) that Mintu@ Kulcha has undergone an actual custody of more than 01 year, the petitioner-Sukhveer Singh @ Pala has undergone an actual custody of nearly 01 year and 10 months. They contend that there are total of 25 witnesses and only 02 witnesses have been examined, while 02 other witnesses were given up. Hence, 21 witnesses still remain to be examined. They further contend that similarly placed co-accused Ishu Kumar was granted concession of regular bail by this Court vide order dated 30.10.2025 passed in CRM-M-59119-2025.

4. Counsel for the respondent-State on the other hand contends that the petitioners(s) have criminal antecedents and contends that the petitioner was specifically named in the present case. He, however, does not dispute that the eye-witnesses as well as the complainant who stepped into

the witness box have not supported the case of the prosecution and have not identified the petitioner(s). Further, it is also not in dispute that no recovery had been effected from the petitioner(s) and that 21 witnesses still remain to be examined. The period of custody already undergone by the petitioner(s) is also not disputed. He also does not dispute that there is no specific assertion of any specific injury having been caused by the petitioner(s) and that only 04 injuries were found on the person of the deceased.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and taking into consideration the period of actual custody undergone by the respective petitioner(s), the fact that the eye-witness as well as the informant complainant (father of the deceased) having not supported the case of the prosecution, the period of custody as well as the stage of trial, absence of recovery from the petitioner(s) and that the co-accused Ishu Kumar being granted concession of regular bail by this Court vide order dated 30.10.2025 passed in CRM-M-59119-2025, I deem it appropriate to enlarge the petitioners on regular bail subject to the satisfaction of the trial Court.

7. The instant petitions are allowed and the petitioners are ordered to be released on regular bail on their furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

NOVEMBER 19, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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