

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

2025:PHHC:068124



(257)

CRM-M-26433-2025

Date of Decision: 20.05.2025

Karnail Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Arun Sharma, Advocate with
Ms. Kamaldeep Kaur, Advocate for petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL.J (Oral)

1. The petitioner in (third petition) is seeking the concession of regular bail, filed under Section 483 BNSS, in case FIR No.303, dated 04.10.2022, under Section 307 IPC, registered at Police Station, Civil Lines, District Amritsar.

2. Learned counsel for the petitioner submits that a false and fabricated case has been planted upon the petitioner, who has been languishing in custody since 07.10.2022. It has been submitted that two of the prosecution witnesses i.e. PW-6 Sooraj and PW-7 Sunny, who were in the vicinity of the occurrence, have not supported the case of the prosecution, as a result of which they were declared hostile. It has been argued that in the circumstances, it is evident that the petitioner is innocent and has been implicated in the present case only because of the animosity between the injured (widow of his deceased son and the petitioner and his

family). Counsel has further submitted that since all the material witnesses stand examined, further incarceration of the petitioner would serve no useful purpose as 7 prosecution witnesses still remain to be examined. Prayer has, therefore, been made to extend the concession of bail to the petitioner as the possibility of the trial concluding in the near future does not arise.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has not disputed the custody period of the petitioner. It has also not been disputed, on instructions, that two prosecution witnesses i.e. Sooraj and Sunny, who were in the vicinity of the alleged occurrence have not supported the case of the prosecution during trial. However, learned State counsel, on instructions, has asserted that the most material witnesses i.e. Lady Constable Jaswinder Kaur, who was escorting the injured to the court premises had supported the case of prosecution in its entirety and had categorically reiterated the allegations levelled in the FIR in question that the petitioner, who was armed with a Kirpan had inflicted multiple blows on her person including her head and left eye; the ocular testimony finds due corroboration with the medical evidence on record. In addition, State counsel has drawn the attention of this Court to the other contents of the FIR, which stands reproduced herein under:-

“Statement of lady constable Jaswinder No. 1943/Amritsar Rural Mobile No. 8146301841, stated that I am posted as a female constable on general duty in Police Line Amritsar Rural. Today my duty was with other male and female police officials for producing the accused in courts. We have brought the male accused and the female accused from the Central Jail Amritsar to districts courts Amritsar for their appearance and production. My duty was in case FIR No. 158

dated 16.09.2022 under section 302 IPC Police Station Kamboj Amritsar Rural for producing Manreet Kaur, daughter of Khajan Singh, resident of village Madhuchanga, district Amritsar, resident of village Hadud (Chhattisgarh), who was in my custody. Manreet Kaur is accused of having been committed the murder of her husband namely Yudhveer Singh Today I along with other police officers were going to the court to produce number of accused in various KUCCour cases to Gate No. 1 District Court Amritsar. Then suddenly 8 one sikh person from the crowd, whose beard was open, took out the kirpan under pre-planned plan conspiracy and attacked Manreet Kaur with his kirpan. First blow hit in center of her head, the second blow hit on the left side of the head above the ear, the third blow landed on the left side of the head, Manand second one on the wrist of left hand. Other male Police person including me came into action and apprehended the person along with Kirpan and cover who was loudly saying that Manpreet Kaur was my daughter-in-law, she had killed my son Yudhbir Singh with the help of her Paramore. I will not leave her later I came to know his name r Karnail Singh S/O Apar Singh Resident Village Wadala Bhattewad Police Station Kamboj District Amritsar Rural. Karnail Singh has committed offence by attacking Manreet Kaur. A strict action may be taken against above said person. Then I and female constable Surinder Kaur No. 1115/Amritsar Rural arranged a ride and admitted her to Guru Nanak Dev Hospital Amritsar in critical condition, which is under emergency treatment here. Action should be taken against Karnial Singh S/o Apar Singh after reading the statement and hearing it Jaswinder Kaur LC: No 1943/ASR(R).”

5. Learned State counsel on further instructions has submitted that no doubt all the material witnesses stand examined, however, remaining witnesses are only formal in nature and therefore there is every likelihood that they would be shortly examined leading to the early conclusion of the

trial.

6. I have heard learned counsel for the parties and examined the material on record including the contents of the FIR.

7. The petitioner is father-in-law of injured Manreet Kaur, who is accused of murdering her husband. The injured Manreet Kaur was being escorted to the court when the petitioner in broad day light inflicted multiple blows with a sword leading to a number of grievous injuries on her head and her eyes. As per instructions received, the most material witness i.e. complainant Lady Constable Jaswinder Kaur has supported the case of the prosecution in its entirety coupled with the fact that the ocular testimony finds due corroboration with the medical evidence; this Court, therefore, does not deem it a fit case to extend the petitioner the concession of bail more so when the trial is nearing conclusion.

8. In the light of the facts enumerated herein above, the instant petition is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

20.05.2025

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