



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

CRM-M-27040-2025

Date of Decision:25.07.2025

Sarvan Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Vaibhav Mahajan, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 95, dated 06.06.2024, registered under Sections 302, 148, 149 of IPC, at Police Station Gate Hakima, District Amritsar.

2. The FIR in the present case was registered on the basis of the statement moved by Hari Shankar and the same has been reproduced below:-

“Statement of Hari Shankar son of Late Degree Parsadi resident of House no. 108, street no. 3. Gurbaksh Nagar Amritsar aged around 53 years, mobile no. 9888914849 made a statement, I am resident of above said address and I am Carpenter, I have four children, out of which one daughter Sonia wife of Raj resident of Gurbaksh Nagar is married, my three sons Kaushal aged 26 years is married, younger to him is Deepak aged 24 years, Gaurav aged 20 years. They both are unmarried and they work with me and do the work of Carpenter. Today around 10.45 PM my nephew Gobinda son of Sant Ram resident of Pechan Wali Gali Amritsar

came to our house, after consuming food my son Kaushal, Deepak and Gaurav had accompanied him upto his house by foot. Around 8 to 10 houses away from our house near the house of Sarwan Singh, the younger son of Sarwan Singh whose name is Jatin came at fast speed on motorcycle and hit the motorcycle into my son Kaushal then my son Deepak told him why he is driving so fast and why he has hit his brother and asked why he was not driving slowly then son of Sarwan Singh, Jatin came down from motorcycle and got angry and started scuffling with my son Deepak, after hearing the noise I came running from the house, son of Sarwan Singh namely Jatin raised Raula that "Bhaiye" are attacking me, after hearing his voice his father Sarwan Singh brother Akash and his mother Pammi and his brother-in-law (Jija) Sukh came running from the house and their brother-in-law Sukh immediately on coming raised Lalkara today they will not leave "Bhaiye" and while we are looking Akash who was holding some sharp knife like weapon hit my son Deepak in his left rib and he was in blood and fell down on the ground then we raised Raula Killed us Killed us then all of them ran from the spot by hurling abuses. I along with my family members have arranged the vehicle and taken him to Mahajan Hospital Khazana Gate where Doctor after looking at him from outside told us take him to Civil Hospital, when we reached Civil Hospital there Doctor checked up him and declared him dead. My son Deepak has been killed by Akash, his father Sarwan Singh brother Jatin, brother-in-law Sukh, mother Pammi for telling him to drive motorcycle carefully they got angry and in connivance with each other killed my son Deepak. This entire occurrence has been witnessed by myself and my son Kaushal, Gaurav and nephew Gobind themselves. I have left my cousin brother Sant Ram resident of Pechan Wali Gali Amritsar with dead body of Deepak and have come to informed, action may be taken against Akash and his accomplice and justice be done to us. Verified Hari Shankar above said, attested by Satnam Singh SI/SHO police station Gate Hakima Amritsar dated 06.06.2024".

3. Learned counsel for the petitioner contends that in the present case, the occurrence had taken place at spur of the moment and the petitioner has been falsely involved, as he happens to be father of Aakash, co-accused. Even as per the case set up by the prosecution, the petitioner was only shown to be present at the place of occurrence and no specific role has been attributed to him. He further contends that in reality, the petitioner was not present at the place of occurrence and his son namely Aakash has already been arrested in the present case. He further contends that the petitioner was arrested in the present case on 28.08.2024 and is in custody for the last about 11 months. After conclusion of the investigation, the challan has already been presented against him. The prosecution has cited 22 witnesses in the present case, but even charge has not been framed against him. He further contends that the co-accused, namely, Paramjit Kaur @ Pammi and Sukhpreet Singh have already been granted the concession of bail by this Court, vide orders dated 28.04.2025 and 16.06.2025 passed in CRM-M-57013-2024 and CRM-M-32023-2025 respectively. Thus, further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that Deepak, since deceased was stabbed by Aakash, son of the petitioner repeatedly and Deepak had succumbed to the injuries in the present case. However, he admits that no specific role has been attributed to the present petitioner.

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

6. In the present case, it is an admitted case of the prosecution that the petitioner was simply shown to be present at the place of occurrence and no overt act has been attributed to him. He is stated to be in custody for almost 11 months and the prosecution has not been able to examine even a single witness. Apart from that, the petitioner was never involved in any criminal activity.

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.

25.07.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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