



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

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CRM-M-30666-2024

Date of decision: January 24th, 2025

Satnam Singh and others

.....Petitioners

Versus

Central Bureau of Investigation

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Rai, Senior Advocate
with Mr. Anurag Arora
and Mr. Saurabh Sharma, Advocates
for the petitioner.

Mr. Akashdeep Singh, Special Public Prosecutor, CBI.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking the concession of bail in
FIR No.RC0512023S0002 dated 18.01.2023 under Sections 304 120-B
323 341 342 of the IPC registered at Police Station CHG
SCB/Chandigarh, District CBI, SCB.

2. Learned senior counsel for the petitioners submits that two
of the material witnesses i.e. PW Angrej Singh (eyewitness) and
PW Om Parkash (who was present when the post-mortem was carried
out upon the deceased) have since been examined; PW Om Parkash has
not supported the case of the prosecution, as a result of which he has
been declared hostile. It has been submitted that even PW Angrej Singh
did not support the case of the prosecution qua petitioner No.1
Satnam Singh as he categorically deposed that he had not seen

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petitioner No.1 Satnam Singh present in the Police Post at the relevant time on the fateful day.

3. *Per contra*, learned standing counsel for CBI has vehemently opposed the prayer and submissions made by the counsel opposite. Learned counsel has apprised this Court that there are serious allegations against the petitioners of being involved in the custodial death of the deceased, who had come to the Police Station on the fateful day. It has, however, not been disputed that eyewitness PW Om Prakash, who was present when the post-mortem was carried out upon the deceased, has since turned hostile and resiled from his version of having seen injuries on the body of the deceased. Learned standing counsel for the CBI has also not disputed that another material witness Angrej Singh had also not supported the case of the prosecution qua petitioner No.1 though he had supported the same qua the others.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioners have been in custody since 03.04.2024. As not disputed by the standing counsel for CBI, the two most material witnesses out of the 89 cited by the prosecution have already been examined; while one witness has been declared hostile, the complainant turned hostile qua one of the petitioners. Since the material witnesses stand examined, there can be no risk of the petitioners tampering with evidence or influencing/intimidating the witnesses. 87 prosecution



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witnesses still remain to be examined, hence, there is no likelihood of the trial concluding in the near future.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioners be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. 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.

January 24th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No