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

CRM-M-31494-2025

Date of Decision: 26.11.2025

Gagandeep Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Chandan Singh Rana, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.46 dated 11.06.2024 under Section 304 IPC registered at Police Station Jodhan, District Ludhiana.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rani Devi. It was alleged that she got married with Subhash Singh (deceased) about 20 years ago. Both were staying together. Her husband was earning livelihood by selling meat at portable meat stall. On 10.06.2024 at about 09/09:30 p.m., her husband had returned home and thereafter, she and her husband were going towards the shop to bring gas cylinder. Gagandeep Singh (petitioner) was drinking liquor with some other persons in front of their house. One of eye of her husband was damaged since birth. Gagandeep Singh made insulting remark about the same to her husband. When her husband objected, Gagandeep Singh gave 2-3 slaps to her husband and pushed him on the ground. After seeing him on the ground, he escaped from the place of occurrence. She shifted her husband to Civil Hospital, Pakhowal, from where he was referred to Civil Hospital, Ludhiana, where he was declared dead. Thus, request was made to take legal action against the accused. On



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the registration of the FIR, the investigation commenced. Postmortem of the dead body was conducted. The petitioner was arrested on 11.06.2024. On the completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of bail, however after hearing both the sides and finding no merit in the same, learned Court declined the bail application filed by the petitioner vide order dated 14.10.2024. Earlier the petitioner approached this Court by way of filing CRM-M-55871-2024, which was dismissed as not pressed, vide order dated 25.03.2025. Hence, the petitioner is again before this Court by way of filing the present second petition praying for the grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the petitioner and the deceased were neighbours. The allegations made in the FIR, are only to the effect that under the impression of liquor, the petitioner gave 2-3 slap blows to the deceased. He submits that the petitioner was neither armed with any lethal weapon nor there was any intention to kill him. He submits that the petitioner is behind the bars from 11.06.2024, however, the complainant did not appear before the trial Court despite repeated opportunities given to her, rather she is not even traceable. He submits that the petitioner though had been prosecuted in one other FIR, however, he had been discharged in the same. He, thus, submits that the petitioner has no criminal antecedents as he is not involved in any other case of the similar nature. It is submitted that in the facts and circumstances of the present case, the petitioner deserves to be granted



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regular bail.

4. Learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that being the neighbour, the petitioner was aware about the medical condition of the deceased and despite that the deceased was beaten by the petitioner. He submits that as per the postmortem report, cause of death was found to be medical condition of the deceased, which existed prior to the occurrence. He has submitted that the Investigating Agency is trying to locate the complainant, but so far, she is not traceable. On instructions, he submits that out of total 09 prosecution witnesses, 01 witness has been examined till date. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner had been alleged to have given 2-3 slap blows to the deceased. Cause of death has been found to be medical condition of the deceased as he was already suffering from some disease. The complainant is said to be not traceable so far. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 05 months & 13 days as on 26.11.2025. It further shows that the petitioner was prosecuted in one more FIR, however, he has been discharged in the same.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned



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counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

26.11.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No