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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29612 of 2025
Date of Decision: 13.08.2025
Reserved on: 07.08.2025

Dinesh Kumar @ Rinku ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Deepak Sharma, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Arshdeep Singh Sivia, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
92	24.06.2023	Sirhind, District Fatehgarh Sahib	346 of IPC (302, 201, 420, 464, 468 and 120-B of IPC added later on and 346 of IPC deleted)

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was initially registered under Section 346 of IPC against unknown persons on the basis of statement recorded by the

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complainant-Jewandeep Kaur alleging therein that on 19.06.2023, her husband Sukhjit Singh who was addicted to liquor had left home on his motorcycle at around 06.00 PM while informing that he was going to bring liquor from Sirhind Liquor Vend. He did not return home that night and also did not respond to the calls made on his phone. In the next morning, she had gone to her father-in-law and they had made search for her husband whose motorcycle was found parked on the rough track of the canal. His footwear were also lying on the bank of the canal. On making further search, his phone was found buried in the soil wrapped in a handkerchief at a distance of about 01 km from the canal bridge.

3. After registration of FIR, investigation proceedings were initiated. On 25.06.2023, the complainant along with her father-in-law approached the police officials informing that she had received information about some accident having taken place in the area of Police Post Basantpura Chowk on the intervening night of 19/20.06.2023 and doubted that her husband had died in the said accident. On hearing so, S.I. Amarjit Singh established contact with the in-charge of Police Post Basantpura who disclosed that one Gurpreet Singh resident of Ramdas Nagar had died in the accident qua which an FIR No.58 had been registered and also informed that after conducting postmortem examination of the dead body, the same had been handed over to the family members of the deceased. On raising suspicion, S.I. Amarjit Singh

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reached at the spot of the accident from where suspicious blood stained gravel and hair were collected. The photographs of the dead body were shown to the complainant who identified the dead body to be that of her husband Sukhjit Singh.

4. As per further allegations, the complainant Jewandeep Kaur then recorded a supplementary statement before the police to the effect that her deceased husband was having friendly relations with the Gurpreet Singh and had told the complainant that the former one not only used to bring liquor for him but also used to give money to consume the same. She raised suspicion that her husband had been killed by the accused Gurpreet Singh in connivance with his wife Khushdeep Kaur and also informed that the accused Gurpreet Singh had got issued several life insurance policies for huge amounts of money in his name and by showing himself to have died in accidental death, he intended to get the said amount of insurance policies released in favour of his wife Khushdeep Kaur and to grab the same. She also alleged that accused Gurdeep Singh in connivance with the present petitioner and other co-accused had made her husband unconscious by giving him liquor laced with some poisonous substance and then got him crushed to death with a truck. The statements of some other witnesses were also recorded. Offence under Section 346 of IPC was deleted. The accused Gurpreet Singh and his wife Khushdeep Kaur along with their unknown

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companions were nominated as such. During the course of investigation proceedings, the accused Gurpreet Singh and Khushdeep Kaur were arrested. They suffered disclosure statements admitting their involvement in the murder of the victim and also took the names of the other co-accused including the present petitioner on the basis of which the petitioner was arrested on 27.06.2023. Investigation has since been completed. The petitioner along with the co-accused is facing trial for commission of aforementioned offences.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR and was implicated on the basis of supplementary statement of complainant and witness Jatinder Singh and disclosure statements of co-accused which cannot be considered to be admissible in evidence. He is in custody for a period of more than two years. There is no direct evidence on record to connect him with the crime. The case is based on circumstantial evidence. The evidence of material witnesses is in the nature of hearsay. These witnesses namely, Jewandeep Kaur, Avtar Singh and Jatinder Singh have since been examined as PW-1, PW-3 and PW-4 and have not deposed anything against him. There is no forensic/scientific evidence to connect him with the murder of the victim. He has clean antecedents. There are 59 prosecution witnesses and most of the witnesses are yet to be examined. PW Jagtar Singh has been partly examined and has not supported prosecution case. A false recovery has been planted upon him. A case of accidental death

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has been converted into a case of murder. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

6. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

7. This Court has considered the rival submissions.

8. As per the prosecution case, the accused Khushdeep Kaur and her husband Gurpreet Singh hatched a conspiracy with the co-accused and the present petitioner in pursuance of which they committed murder of the victim and then by showing it as a case of accidental death, they projected that the dead body was that of the accused Gurpreet Singh. The role that has been attributed to the petitioner is that he was a part of the conspiracy hatched amongst the co-accused. He had participated in the act of intoxicating the victim with liquor laced with poison and when the victim was in the state of intoxication, then throwing him in front of a moving truck to cause his death. PW-7 Jagtar Singh has been examined in part only. No conclusion can be drawn from his testimony. The allegations against the petitioner are serious in nature. As per the prosecution case, the location of cell phone of the petitioner was found to be around the place of occurrence at the relevant time. The trial is going on at a proper pace and there is nothing on record to show that there would be any undue delay in the trial.

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Keeping in view the gravity of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudice the trial, this Court is of the opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

13.08.2025
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(MANISHA BATRA)
JUDGE

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