

2025:PHHC:122664



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

103

**CRM-M-33672-2023
Decided on:09.09.2025**

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

103(1)

**CRM-M-1735-2024
Decided on:09.09.2025**

Jaskaran Singh @ Kaka

...Petitioner

Versus

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

**Present: Mr. Brijesh Nandan, Advocate,
for the petitioner in CRM-M-33672-2023.**

**Mr. Amit Agnihotri, Advocate,
for the petitioner in CRM-M-1735-2024.**

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (Oral)

1. By way of this common order, two petitions bearing CRM-M-33672-2023 and CRM-M-1735-2024 are being decided as prayer in both the petitions, filed under Section 483 of the BNSS, 2023, is for grant of regular bail to the petitioner(s) during pendency of the trial in common case FIR No.334 dated 28.08.2022, registered under Sections 304 and 34 of the IPC, 1860 (Sections 302 and 201 IPC, 1860 added later on), at Police Station Goindwal Sahib, District Tarn Taran.

2. Succinctly, the facts of the case are that the FIR in the present case has been registered on the statement of complainant, namely, Darshan Singh, who had alleged that his son Gurlal Singh (deceased) was being suspected by Amritpal Singh of having stolen Gohlak and Rs.5,000/- from his house. It was

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alleged that on 25.08.2022, his son Gurlal Singh went from home, however, he did not return. Thereafter, he made enquiry at his own level and came to know that on 25.08.2022, Amritpal Singh, Dharamjit Singh, Veeru and Jaskaran Singh alias Kaka had taken his son Gurlal Singh towards Beas River and out of fear, his son entered the river but was not seen thereafter. It was apprehended that all the accused had pushed his son Gurlal Singh in the river and he must have drowned. Hence, the request was made for taking legal action against all the culprits. On registration of the FIR, the investigation commenced and during investigation, the dead body of Gurlal Singh was recovered on 27.08.2022 and the same was identified by the complainant Darshan Singh, father of the deceased Gurlal Singh. The investigating agencies thereafter arrested accused Amritpal Singh and Dharamjit Singh on 12.09.2022 and on their disclosure statement, petitioner Satnam Singh was arrested on 14.09.2022 and, thereafter, petitioner Jaskaran Singh alias Kaka was arrested on 22.11.2022. After having collected various evidences against the petitioners and other co-accused, on completion of the investigation, the challan was presented. The learned trial Court, on framing the charges, commenced with the trial. The petitioners approached the learned Additional Sessions Judge, Tarn Taran praying for grant of bail. However, after hearing both the sides, the learned trial Court declined the same vide orders dated 18.01.2023 and 31.07.2023 respectively. Hence, aggrieved by the said orders, the petitioners are before this Court by of filing the present petitions and this Court, vide its separate orders dated 08.05.2024 passed in both the petitions, released both the petitioners on interim bail and since then, they are on interim bail.

3. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely implicated in the present FIR case. It is submitted that in the FIR, petitioner Jaskaran Singh was allegedly suspected but petitioner Satnam Singh was not even named in the FIR. It is submitted

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that petitioner Satnam Singh was involved in the present case only on the basis of disclosure statement of the co-accused, which is not admissible in evidence. To buttress their arguments, they submitted that the material witnesses, namely, PW1 Darshan Singh, father of the deceased Gurlal Singh and PW2 Pritam Singh alleged eye witness have been examined but they have not supported the case of the prosecution. It is submitted that petitioner Satnam Singh has no criminal antecedents and he was granted interim bail after suffering incarceration for over 1- ½ years. However, petitioner Jaskaran Singh was involved in two criminal cases but acquitted in one of them and he was also released on interim bail after sufferance of incarceration of 1- ½ years. It is further submitted that the petitioners have never misused the concession of interim bail and there is no substantive evidence with the prosecution for proving the charges levelled against the petitioners and, thus, in view of the facts and circumstances of the case, the petitioners deserve to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by the learned counsel for the petitioners. He has submitted that petitioner Jaskaran Singh has specifically been named in the FIR and both the petitioners had played a key role in eliminating son of the complainant. He further submitted that the cause of the death was not due to drowning but the same was due to shock and haemorrhage as a result of injury nos.1 and 2 suffered by the deceased and further more the deceased had suffered as many as 7 injuries. He also submitted that out of the total 20 prosecution witnesses, 8 witnesses have been examined and even if the complainant PW1 and eye witness PW2 have not supported the case of the prosecution but their complete testimony, which is consistent to the prosecution case, can always be relied upon. He has placed on record custody certificate of both the petitioners,

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which depict that petitioner Satnam Singh has suffered the incarceration for over 1 year and 8 months and petitioner Jaskaran Singh for almost 1- ½ years.

5. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the case of the prosecution is based on the statement of the complainant, who is father of deceased Gurlal Singh and has been examined as PW1, but he did not support the prosecution case. Further, eye witness Pritam Singh, who has been examined as PW2, has also not supported the prosecution case. The interim bail was also granted to both the petitioners on 08.05.2024 while keeping the fact of resiling of PW1 and PW2 and there is nothing on record to show that the petitioners have misused the concession of interim bail. Furthermore, both the petitioners have suffered incarceration for over 1- ½ years.

6. Thus, keeping in view overall facts and circumstances of the case and the arguments advanced by both the parties, this Court is of the opinion that the learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners. Accordingly, the interim bail granted to both the petitioners, vide separate orders dated 08.05.2024 passed in both the petitions, is made absolute. However, nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. Both the petitions stand allowed. All pending applications, if any, stand disposed of.

8. A photocopy of this order be placed on the file of another connected case.

September 09, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES