



CRM-M-32121-2025

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249+ IN THE HIGH COURT OF PUNJAB AND HARYANA
255 AT CHANDIGARH

(1) CRM-M-32121-2025

Ajay Kumar @ Ajaydeep @ Baba Petitioner

Versus

State of PunjabRespondent

(2) CRM-M-41243-2025

Gomti @ Preeti Petitioner

Versus

State of PunjabRespondent

Date of Decision: 06.08.2025

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Vinay Puri, Advocate, for the petitioner
in CRM-M-32121-2025.
Mr. Deepak Arora, Advocate, for the petitioner
in CRM-M-41243-2025.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. This order will dispose of above-mentioned two petitions, as both have arisen out of a common FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.75 dated 21.04.2024, under Section 302 IPC (Sections 148, 149, 120-B, 201 of IPC added lateron) and Sections 25, 27, 54 and 59 of Arms Act, registered at Police Station Sadar Jalandhar, District Jalandhar.

3. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of Raj Kumar. It was alleged that they are five brothers and one of his brother is George @ Katta, was working as an Electrician. On 20.04.2024, he went out of the house at about 8:00 PM and thereafter, he did not return home. On 21.04.2024 at about 9:30 AM, he



received an information that dead body of his brother, namely, George @ Katta, was lying in a vacant plot. On hearing, he reached at the place where number of people gathered. On reaching, he saw that face and head of his brother had been hit with sharp edged weapon. It was alleged that his brother George @ Katta was killed by some unknown person by causing injuries with sharp edged weapons. Request was made to take legal action against all the culprits. On registration of FIR, investigation commenced. On 22.04.2024, supplementary statement of the complainant was recorded, wherein he named 11 accused including both the petitioners. Resultantly, they were arrested on 05.12.2024/22.04.2024. On the completion of investigation, challan was presented and on framing of charges, the trial Court commenced with the trial. The petitioners approached the Court of learned Additional Sessions Judge, Jalandhar for grant of bail, however, after hearing both the sides and finding no merits, their applications were declined by the trial Courts vide orders dated 17.05.2025 and 03.07.2025, respectively. Aggrieved by the same, the petitioners are before this Court by way of filing the present petitions.

3. It has been vehemently contended by learned counsel for the petitioners that the case of the prosecution is based on the circumstantial evidence, however, the petitioners have been roped in the present case on the basis of presumptions and assumptions. It is submitted that the occurrence in the present case had taken place on 20.04.2024 and the FIR was registered on the very next day i.e. 21.04.2024, and the complainant did not name any of the accused, however, on 22.04.2024, the supplementary statement of the complainant was recorded and in a due deliberated manner, the petitioners



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were roped in the present case and the same being hearsay evidence, cannot be even relied upon. They submit that petitioners have no criminal antecedents and they are behind bars from the date of their arrest and there is no progress in the trial as out of total 38 prosecution witnesses, 03 witnesses have been examined till date. He further submits that co-accused, namely, Manjit Singh @ Mann and Jagpreet @ Jaggu have already been granted bail by this Court vide order dated 30.04.2025 passed in CRM-M-55732-2024 and the petitioners being at par with the said accused, deserve to be granted regular bail.

4. Short reply by way of affidavit of Babandeep Singh, Assistant Commissioner of Police Cantonment, Jalandhar dated 05.08.2025 filed in Court is taken on record.

5. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioners. He submits that the petitioners in due conspiracy with the co-accused had committed the murder of the brother of the complainant. He submits that the disclosure statement of the co-accused, Sonia, was recorded and the complicity of the petitioners have been duly established in committing the murder of the deceased. He, on instructions, submits that out of total 38 prosecution witnesses, only 03 witness have been examined. However, he endorsed the fact that the co-accused have already been enlarged on bail by this Court. He has produced the custody certificate of the petitioners.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on the circumstantial evidences. The petitioners have been arrayed as an accused on recording the



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supplementary statement of the complainant. Co-accused, namely, Manjit Singh @ Mann and Jagpreet @ Jaggu are on bail and the case of the petitioners as stated is at par with him. Custody certificates of the petitioners would show that petitioner Gomti @ Preeti has suffered an incarceration of 01 year, 03 months and 10 days as on 05.08.2025 and petitioner Ajay Kumr @ Baba has suffered incarceration of 07 months and 28 days as on 05.08.2025. Custody certificates further reflect that the petitioners have no criminal antecedents. As submitted before this Court, out of 38 prosecution witnesses, 03 witnesses have been examined

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners on the basis of parity. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

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

(RAJESH BHARDWAJ)
JUDGE

06.08.2025

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