



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(225) CRM-M-37335-2025 (O & M)
Date of decision: 08.09.2025

Tarsem Singh @ Nimma

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Navneet Kaur Waraich, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.47 dated 20.05.2022 under Sections 302, 460, 323, 506, 148 and 149 IPC registered at Police Station SGNDCV Thermal Plant, District Bathinda.

2. The present FIR came to be registered at the instance of Kulwinder Singh and reads as under:-

Statement of Kulwinder Singh at the rate Binder son of Desraj son of Savdeep Chand, resident of near Durga Middleton Brahman Pati, Bargadi aged approximately 30 years contact number 86990-49278. It is stated that I am a resident of the above mentioned address. My brother and I are married persons. My brother and I work at the Brick kiln (Ittan da Pattha) situated at road which goes towards village killed Patti to village Nehiavala. We work there for loading the tractors. We reside at the apartments made in the pattha. On 19.05.2022, when we went to our respective rooms with our families after finishing our work at night, then my brother along with one



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Sattu son of Darshan Singh, resident of Bargadhi and Sukhmander Singh resident of Har Raipur were sleeping. Then at about 12-12:30 AM on 19/20.05.2022 at midnight, we heard noises of 'Marta Marta, na maro na-maro'. I rushed towards the spot of occurrence and saw Kuldeep Singh son of Nijjar Singh along with Kirpan, Jeevan son of Gurpreet Singh resident of Subewali Basti, Manjinder Singh@ Mandhi along with hand pump handle, Prakash@ tindo son of Sewak Singh resident of Kotthe Natheena village along with iron rod and Kashmir Singh @Nikka son of Karnail Singh resident of Chilia Chahapparia Kotthe Natheena along with Kahi Dasta. Nikka and his father Raju resident of Kotli and 6-7more unknown persons who were having rods, Kirpan, sticks and they all were beating my brother, Sattu and Sukumandar. When I went near to them they tried to beat me and also threatened to kill me. After loud noises, people started gathering upon which the above mentioned accused persons ran away from the spot along with their weapons. First my brother was referred to Cosmo Hospital from the Civil Hospital, Bathinda and Sattu and Sukumandar were also referred to Faridkot for better treatment. My brother Raju was referred to Delhi Heart Hospital, Bathinda from the Cosmo Hospital because of his critical condition where he died due to injuries at 4:30 AM. The reason for the grudge was that the above said persons about 1.5 months ago quarrelled with my brother Rajvinder Kumar at Raju for the loading of tractor at the above Pattha but the matter was resolved with the intervention of the owners. Because of this grudge they killed my brother by attacking him at night when he was sleeping, Kindly take legal action against them.

3. The learned counsel for the petitioner contends that the petitioner has not been attributed any injury on the person of the deceased. The statement of an injured-eye witness, namely, Satnam Singh @ Sattu was



recorded to the effect that the petitioner had given a *kirpan* blow on the upper part of his right eye-brow. It would be a moot point during the course of the Trial as to whether the petitioner can be held liable vicariously under Section 149 IPC for the offence under Section 302 IPC. As he is in custody since 27.05.2022 but only 02 of the 46 prosecution witnesses have been examined so far, the Trial of the case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, has filed a short reply dated 05.09.2025 which is taken on record. While referring to the said reply, he contends that the petitioner and his co-accused assaulted the deceased and caused grievous injuries on the person of Satnam Singh @ Sattu. Therefore, the nature of allegations levelled against him do not entitle him to the concession of bail. He, however, concedes that the petitioner is in custody since 27.05.2022 and only 02 out of the 46 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. As per the case of the prosecution, the petitioner has been attributed a grievous injury on the person of the injured-Satnam Singh @ Sattu. His culpability with the aid of Section 149 IPC, if any, shall be adjudicated upon during the course of the Trial. As he is in custody since 27.05.2022 and only 02 out of the 46 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon. In this situation, his further incarceration of the petitioner is not required,

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Tarsem Singh @ Nimma is ordered to



be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other case/crime other than the case(s) referred to in the custody certificate dated 06.09.2025.

9. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

10. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

11. The petition stands disposed of.

12. The pending application(s), if any, shall stands disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

September 08, 2025
sukhpreet

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