



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

**CRM-M No.45704 of 2025
Date of Decision: 26.08.2025**

Kuldeep Singh @ Bheeta @ Pritam Singh Petitioner

Versus

State of PunjabRespondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.240, dated 09.09.2023, under Sections 302, 120-B, 34 IPC, 1860, registered at Police Station Jandiala, Amritsar.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Heera Singh. It was alleged that on 09.09.2023, at about 7/7:30 p.m., when he was at home, his son, namely, Dilsher Singh @ Shera and daughter, namely, Mandeep Kaur went to Medical Store to get the medicine, on foot. Thereafter, his daughter came running home and told him that Harjeet Singh @ Jeeta, Jaspal Singh @ Ghai and Kuldeep Singh @ Bheeta (petitioner) attacked Dilsher Singh and had beaten him. On hearing, he rushed to the spot and saw that Harjeet Singh @ Jeeta had taken out Shri Sahib (small *kirpan*) from his *Gatra* and was hitting his



son Dilsher Singh and Jaspal Singh @ Ghai was holding his hair and Kuldeep Singh @ Jeeta (petitioner) was holding both his legs and Harpreet Singh @ Dharminder Singh exhorted them not to leave him alive. The assailants killed his son. Thereafter, the complainant and his younger son Dildar Singh shifted his injured son Dilsher Singh to Shri Guru Ramdass Cancer Hospital, Vallah, Amritsar, where he died during the treatment. The motive behind the incident was that the assailants suspected his son Dilsher Singh had illicit relations with wife of Harjit Singh @ Jeeta. Request was made to take legal action against the culprits. On the basis of the allegations made, the FIR was registered and the investigation commenced. During the investigation, the petitioner was arrested on 10.09.2023. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 02.09.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

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 submits that neither any recovery has been effected from the petitioner nor he was even present at the spot. He submits that the allegation made against the petitioner is that he caught hold the deceased from his legs while attacking. He submits that false implication of the petitioner is writ large. He submits that even otherwise the petitioner has not been attributed any overt act in committing the murder of son of the complainant. It is submitted that the petitioner is



behind bars since 10.09.2023, but the prosecution has not been able to examine even a single witness. He submits that the prosecution witnesses are intentionally avoiding their presence before the trial Court only in order to prolong incarceration of the petitioner. It is submitted that the petitioner had no motive to commit the alleged offence. He further submits that the petitioner has no criminal antecedents. He further submits that co-accused of the petitioner, namely, Harpreet Singh @ Dharminder Singh has already been granted bail by this Court vide order dated 24.04.2025 passed in CRM-M-41773-2024 and thus case of the petitioner is at par with that of the co-accused. He submits that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. She has submitted that the complainant has duly named the petitioner in the FIR, who was duly present and exhorted the co-accused for the murder of son of the complainant. She submits that complicity of the petitioner was duly substantiated during the investigation and on framing of charges, the trial has already commenced. On instructions, she has submitted that out of total 12 prosecution witnesses, no witness has been examined till date. She has placed on record the custody certificate of the petitioner today in the Court and the same is taken on record. She has endorsed the fact that co-accused of the petitioner has already been granted bail by this Court vide order dated 24.04.2025.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest, i.e. 10.09.2023. The role attributed against the petitioner is



that he caught hold the deceased from his legs while attacking. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 11 months & 12 days as on 25.08.2025. It further reflects that the petitioner has no criminal antecedents. Out of total 12 prosecution witnesses, no witness been examined. Co-accused of the petitioner has already been granted bail by this Court vide order dated 24.04.2025.

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

7. 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.

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

26.08.2025

(RAJESH BHARDWAJ)
JUDGE

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