

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:150372



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CRM-M-42158-2025 (O&M)

Date of decision:31.10.2025

Parneet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. J.S. Moudgill Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed for grant of regular bail by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') in case arising out of FIR No.60 dated 11.06.2023, registered under Sections 302, 201, 148, 149 IPC, at Police Station Payal, District Ludhiana.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant–Fateh Singh @ Fatta alleging that he was got admitted into a Drug De-Addiction Centre, in village Payal, since he was a drug addict. The victim Amandeep Singh was also admitted by his family in the same centre which was operated by the petitioner. The activities of this centre were supervised by co-accused Pardeep Singh, Harmanpreet Singh, Vikram Singh and Gurwinder Singh, who were also admitted in this centre.

He alleged that on 21.04.2023, the victim Amandeep Singh was given the task of washing clothes and as he was little slow in doing the work, the petitioner along with Pardeep Singh and other accused had started beating him. On the same night, when all of them were sitting in the hall, the petitioner along with Harmanpreet Singh and Vikramjit Singh, who were carrying *dandas* along with accused Gurwinder Singh, had assaulted the victim by extending severe beatings to him resulting into his death. Thereafter, they had taken the body of the victim out of the hall and had locked the complainant and others inside. The complainant further alleged that though the petitioner had claimed subsequently that he had sent the victim back to his home, but on 09.06.2023, he came to know that the victim had been murdered as he had not been sent home. As such, he prayed for taking action.

3. After registration of the FIR, investigation proceedings were initiated. The petitioner along with co-accused Harmanpreet Singh and Vikramjit Singh were arrested on the same day and suffered disclosure statements as per which the co-accused Pardeep Singh had caught hold of the arms of the victim, whereas accused Gurwinder Singh had caught hold of his legs and the petitioner along with other co-accused had extended beatings to the victim by using sticks, due to which he had died. The petitioner had surrendered on 19.06.2023 and suffered disclosure statement admitting his involvement in the crime. The investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has

been falsely implicated in this case. Now the complainant also stands examined and he has not implicated the petitioner in the subject crime at all. The witnesses of the last seen extra-judicial confession allegedly suffered by the co-accused have also resiled from their respective statements allegedly recorded during the course of investigation. There is no incriminating evidence to connect him with the subject crime. The disclosure statement allegedly suffered by the co-accused cannot be considered to be admissible in evidence. No new or distinct fact has been discovered in pursuance of disclosure statement allegedly suffered by him and hence the same also cannot be considered to be admissible in evidence. He is in custody since 21.06.2023. His continued detention would not serve any useful purpose. Co-accused, Pardeep Singh has been granted benefit of bail. On parity, he too deserves to be given the same benefit. It is, therefore, urged that the petition deserves to be allowed.

5. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of regular bail.

6. This Court has heard the rival submissions made by learned counsel for the parties at a considerable length.

7. The petitioner by forming of an unlawful assembly with the co-accused is alleged to have assaulted the victim, who had died. As per the allegations, he had extended beatings to him on 21.04.2023. The complainant, who was the only eye witness to the alleged occurrence has appeared before the learned trial Court as PW4. Copy of his sworn deposition has been placed on record as Annexure P-7 and a perusal of the

same reveals that he did not support the prosecution version at all and did not identify the petitioner or the other accused as assailants of the victim. Even PW1 Sarabjit, who was a witness to the circumstance of having lastly seen the petitioner and co-accused Harmanpreet Singh along with the dead body of the victim and PW2 Harpreet Singh, before whom petitioner and co-accused Harmanpreet Singh had allegedly suffered extra-judicial confession, have not supported the prosecution version and turned hostile. Keeping in view the nature of the evidence which has come on record and does not implicate the petitioner in commission of the subject offence, coupled with the fact that there is no other eye witness to the occurrence, the period spent by the petitioner in custody and the attendant facts and circumstances, this Court is of the considered opinion that the petitioner deserves to be released on bail at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

8. It is, however, made clear that nothing observed hereinabove, shall be construed to mean an expression of opinion on the merits of the case.

31.10.2025

harjeet

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No