



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

220

CRM-M-48939-2024

Date of decision: 27th January, 2025

Pardeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 84 dated 11.11.2022 registered under Sections 302, 201 read with Section 34 of IPC at Police Station Sadar Abohar, District Fazilka.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of statement got recorded by complainant-Manjeet Kaur, on the allegations that her mother Sukhjeet Kaur in-conivance with the present petitioner, who is her brother, had committed murder of her father Makhan Singh on the intervening night of 7/8.10.2022 and had concealed his dead body under the floor made of bricks. On 18.10.2022, a report regarding missing of her father had been got lodged by her mother. Subsequently, her mother and the present petitioner



had confessed about the factum of killing her father. While alleging that her mother had illicit relation with some unknown person and had killed her father, who used to resist her acts. She prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated. The present petitioner was arrested on 11.11.2022. Investigation has since been concluded.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 11.11.2022. Trial is likely to take time. The complainant has been examined and has not implicated him in commission of the subject offence. No useful purpose would be served by keeping him in custody anymore. There is no direct evidence against him. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner. Simply because the complainant has resiled from her previous version and has not made any deposition as against the petitioner, he being her brother, the complicity of the petitioner in the subject crime is not ruled out. One iron rod which was used in the commission of murder of the father of the complainant and the present petitioner had been effected at the instance of the petitioner. The allegations against him are serious in nature as he in-conivance with his mother killed the victim and also disposed of his dead body by digging earth, in order to cause disappearance of evidence of the offence. He has actively participated in the subject crime, which is heinous in nature. There are chances of his



intimidating the witnesses or absconding, if extended benefit of bail.

Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in connivance with his mother is alleged to have killed his own father and then concealed his dead body by digging a pit in his house and putting interlock tiles on the same. He was specifically named by the complainant at the time of lodging of the FIR. The petitioner has placed on record Annexure P-2 which is copy of sworn deposition of complainant-Manjeet Kaur and a perusal of the same reveals that she stated that she did not know as to her father had died a natural death or was murdered by her mother and further that her mother had not disclosed as to how, her father had died. But at the same time, she is shown to have stated that her mother had disclosed to her about concealing the dead body of her father in a pit in the courtyard of her house. She is even shown to have admitted the fact that she recorded a statement before the police that dead body of her father was recovered in her presence as per narration of her mother as well as the present petitioner and she had identified the same. During the course of examination, she is shown to have admitted that in her supplementary statement, she had stated that the present petitioner in common intention with her mother had killed her father and concealed his dead body. She is even shown to have denied the suggestion that the petitioner and her mother had not committed murder of the victim. As such, it cannot be stated at this stage that the complainant has not supported the prosecution case or has not implicated the present petitioner in the



commission of offence of murder of her father. The allegations against the petitioner are serious in nature. There is nothing on record to show that there would be any undue delay in conclusion of the trial. Taking into consideration the gravity of the allegations, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th January, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |