



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

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CRM-M-47611-2025
Date of decision: 02.09.2025

JOBANJIT SINGH ALIAS JOBAN SINGH

....PETITIONER

V/S

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Simran Atwal, Advocate,
for the petitioner.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.285 dated 17.08.2020 registered for the offences punishable under Sections 302 and 34 of IPC and Section 201 added later on, at Police Station Goindwal Sahib, District Tarn Taran.

2. The case set up in the FIR in question is as follows:-

“Statement of Amrik Singh son of Dalbir Singh resident of Kalla, age 43 years, mobile number 77106-07662 stated that I am a resident of the aforesaid address and do labor work. I have four daughters and one son. My eldest daughter Komalpreet Kaur wife of Jobanjit Singh resident of Bharowal was married to him. It has been 1 to 1.5 years since the marriage and there was also a 4-5 month old child. My daughter was often beaten by them. We had previously



reconciled them many times. Today, at about 09:00 AM, Gian Kaur wife of Late Sewa Singh resident of Bharowal, who is the grandmother-in-law of Komalpreet Kaur, telephoned my sister-in-law Sarabjit Kaur wife of Sukhwinder Singh resident of Kalla on her telephone that Jobanjit Singh has stabbed Komalpreet Kaur in the stomach with a sickle. You should quickly reach village Bharowal. On which my sister-in-law came and told me everything. After hearing everything, I, my wife Manjit Kaur and my brother-in-law Sukhwinder Singh and his wife Sarabjit Kaur, we four reached village Bharowal where my daughter was lying on a cot in the outer courtyard. When I tried to ask her something my daughter took a deep breath and became silent. I was about to take her to the doctor but she had already died. As I watched, my daughter's mother-in-law Raj Kaur and father-in-law Paramjit Singh fled from the spot. My son-in-law Jobanjit Singh son of Paramjit Singh, Paramjit Singh son of Saudagar Singh, Raj Kaur wife of Paramjit Singh, Malkit Singh son of Paramjit Singh, residents of Bharowal, used to often beat my daughter Komalpreet Kaur. Jobanjit Singh murdered my daughter Komalpreet Kaur by stabbing her in the stomach with a sickle. All of them in one conspiracy murdered my daughter.

Legal action should be taken against them. Statement given, heard, correct. Sd/- Amrik Singh

Attested SD/- Naresh kumar ASI I/C PP F,bad PS G.Wal 17.08.2020.

Pulma: Man Bh ASI Prabhed ASI Avtar Singh 1842, ASI Surjit 983, CT Harpal Singh 1213 in government vehicle whose driver ASI Dilbagh Singh was present at Mor Chohla Sahib Fatihabad in connection with patrolling. Amrik Singh son of Dalbir Singh and Sukhwinder Singh son of Jhilmil Singh residents of Kalla met me. Amrik Singh got his aforesaid statement written before me which was read out and explained to him, who accepting his statement as correct signed below the statement in Punjabi, which I attested. From the above statement, a crime under sections 302/34

IPC is found to have occurred. For registering the case, the statement sheet is being sent to the police station through CT Harpal Singh. After registering the case, the FIR number should be communicated. Information should be given to the control room via wireless. Special reports should be issued and sent to senior officers. I, ASI, along with fellow personnel, am proceeding to the scene of occurrence with the complainant Amrik Singh and Sukhwinder Singh. Today, after the area of Mor Chohla Sahib Fatihabad, Time: 01:30 PM.



Today Police Station:- At this time, upon receiving the statement at the police station, the aforesaid case is registered, and the original statement along with a copy of the FIR is being sent to ASI for further investigation through CT Arinda. Information has been given to the control room via E-MAIL. Special reports are being issued and sent to HC Davinder Singh 496 and senior officers...

(1) Registered the case and took up the investigation

(2) Directed (Name of I.O.): NARESH KUMAR

Rank: Asst. SI (Assistant Sub-Inspector)

F.I.R.read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost.”

3. Learned counsel for the petitioner has argued that the petitioner has been in custody since 18.08.2020. It is further submitted that the petitioner has been falsely implicated in the FIR in question. Learned counsel has also pointed out that the prime prosecution witnesses, namely PW-1 Amrik Singh (father of the deceased/complainant), PW-2 Sarabjit Kaur (mausi of the deceased), and PW-3 Manjit Kaur (mother of the deceased), have turned hostile, and therefore, the trial is not likely to culminate in conviction. Learned counsel has further submitted that the petitioner has already been in custody for more than five years. Hence, regular bail is prayed for.

4. Learned counsel for the State has opposed the present petition by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 18.08.2020 whereinafter investigation was carried out & challan was presented on 13.07.2021. A



total of 22 prosecution witnesses have been cited, out of which 9 have been examined and 1 has been given up. The rival contentions raised by the learned counsel; including the weightage to be attached to the testimony of the hostile witnesses, namely PW-1 Amrik (father of the deceased/FIR complainant), PW-2 Sarabjit Kaur (Mausi of the deceased), and PW-3 Manjit Kaur (mother of the deceased), shall be considered during the course of trial. The Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. As per the custody certificate dated 31.08.2025 filed by the learned State counsel, petitioner has suffered incarceration for about 5 years and 7 days & is not shown to be involved in any other case.

Suffice to say further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the present case.

7. In view of totality of factual matrix of the present case, the instant petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.



- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

02.09.2025

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