

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-47922-2025 (O&M)
Date of decision: 19.11.2025

LABHU RAM ALIAS RAHUL PRASHAR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

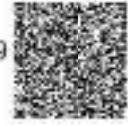
CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Ms.Kashish Sahni, Legal Aid Counsel for the petitioner.

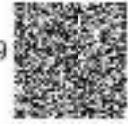
Mr. Rahul Jindal, AAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.31 dated 07.03.2017, under Sections 302, 427, 323, 120-B IPC (under Sections 148 and 149 of IPC added later on), registered at Police Station Sadar, Hoshiarpur.
2. The present case was registered on the basis of statement given to the police by Ranjit Kaur with the allegations that she has two daughters and one son, who are married. On 06.03.2017, she along with her mother Mahinder Kaur was sleeping in one room after having dinner and in the other room, her son Sandeep Singh alongwith his wife Gurjit Kaur and their children were sleeping. Her husband Tarlok Singh, son of Kashmir Singh was sleeping on the roof. At about 9:00 pm, her daughter-in-law Gurjit Kaur called her and told that there were some people in the verandah outside on which she opened the door of her room and went towards the verandah and saw that three unknown youths were going towards the gate and she inquired from them as to who they were. Then one of



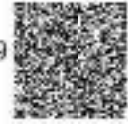
them, who was armed with a stick came and inflicted two stick blows on her back. Her daughter-in-law Gurjit Kaur and son Sandeep Singh also came out of the room and the said unknown persons ran away and hit their car and broke the window glass. Her husband Tarlok Singh also told that he had been hit on the head with a stick. Thereafter, she called Shingara Singh @ Sara and his mother Mahendra Kaur and told that the unknown persons had pointed towards their house. Thereafter, she called Ranjit Singh Panch, Sarpanch Balwant Singh and Panch Gulzar Singh. When she was making a call, her husband lied down on the bed and blood was oozing from his head. After arranging a vehicle, her son took her husband to Civil Hospital, Hoshiarpur from where he was referred to Aman Hospital, Hoshiarpur, where he was declared dead. She alleged that Shingara Singh and his brother Dalbir Singh had threatened them several times that they will kill them and she suspected that the above-mentioned people have attacked them and caused injuries to her husband and damaged the car and she sought action against them. After registration of FIR, matter was investigated. Complainant got recorded her supplementary statement and further disclosed that on 06.03.2017 at 12:00 pm, Lakhwinder Singh and Sandeep Singh @ Sunny, sons of Gurmail Singh, who are grandsons of Lal Singh had come to the haveli of Shingara Singh and they were moving around their house and she suspects that Lakhwinder Singh and Sandeep Singh at the instance of their maternal uncle Dalvir Singh along with their friends had committed trespass in their house and caused injuries. Thereafter, Lakhwinder Singh and Sandeep Singh were nominated as accused and arrested on 09.03.2017 and they suffered disclosure statements that Labhu Ram, Navjeet singh @ Navi, Gurpreet Singh @ Monu, Balram @ Monu,



Ranjit Singh @ Kala and Manpreet Singh @ Kokku in connivance with each other, trespassed in the house of complainant and caused injuries to deceased Tarlok Singh, resulting in his death. Thereafter, aforesaid persons were also nominated as accused. Navjeet singh @ Navi, Balram @ Monu, Ranjit Singh @ Kala and Manpreet Singh @ Kokku were arrested on 14.03.2022. After completion of investigation, challan was presented. Thereafter, accused Ranjit Singh was arrested on 05.07.2017 and Shingara Singh, Dalvir Singh and Labhu Ram were declared proclaimed offenders. Thereafter, supplementary challan was presented against accused-Ranjit Singh. During trial, the complainant and other eye-witnesses did not support the prosecution case and accused Navjeet singh @ Navi, Gurpreet Singh @ Monu, Balram @ Monu, Ranjit Singh @ Kala, Lakhwinder Singh, Sandeep Singh and Manpreet Singh @ Kokku were acquitted by the Court of learned Additional Sessions Judge, Hoshiarpur, vide judgment dated 20.01.2018. Thereafter, Shingara Singh was arrested on 11.05.2018 and supplementary challan was presented against him and he was acquitted, vide judgment dated 13.11.2018. Petitioner was arrested on 16.03.2024 and supplementary challan has been presented against him.

4. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the material on record.

5. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. He had not been named in the FIR and the offence in question was committed by unknown persons. Name of the petitioner has cropped up in the disclosure statements of co-accused. However, co-accused namely Lakhwinder Singh, Sandeep Singh, Manpreet Singh, Luvjit Singh,



Gurpreet Singh, Balram and Ranjit Singh have already been acquitted by the Additional Sessions Judge, vide judgment dated 20.01.2018 (Annexure P-2), as complainant and other material witnesses had failed to identify any of the accused. Rather, complainant had deposed before the Court that she had not seen the accused present in the Court as well as other accused namely Dalbir Singh, Shingara Singh, Ranjit Singh and Labhu Ram (petitioner) causing injuries to her husband. Learned counsel for the petitioner next contended that now complainant has died and other material witness namely Gurjit Kaur, who has been examined as PW1 has not supported the prosecution case and she has not identified the petitioner to be amongst the assailants. Learned counsel further contended that there is no possibility of accused winning over or intimidating the witnesses, as only official witnesses remain to be examined. Petitioner is in custody since 16.03.2024. Learned counsel next contended that the trial is likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail.

7. Petitioner is in custody since 16.03.2024. Now, the complainant has died and the other material witness namely Gurjit Kaur, who has been examined as PW1 has not supported the prosecution case and she has not identified the petitioner to be amongst the assailants. Since material witnesses have already been examined, there is no possibility of accused winning over or intimidating the witnesses, as only official witnesses remain to be examined. The trial is likely to



take a long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody and he deserves to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

19.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No