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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-49350-2025

Date of decision: 15th December, 2025

Talwinder Singh @ Tarwinder Singh @ Kali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Dhiraj Jindal, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Aminder Singh, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The instant one is the third petition as filed by the petitioner for seeking grant of regular bail in case arising out of FIR No. 14 dated 25.01.2023 registered under Sections 302, 201, 404 and 34 of IPC (Section 120-B of IPC was added later on) at Police Station City Sunam, District Sangrur. His first petition bearing CRM-M-20119-2024 had been dismissed as withdrawn vide order dated 28.05.2024 and second petition bearing CRM-M-48785-2024 had been dismissed as withdrawn vide order dated 21.11.2024.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant, Ranjeet Kumar, on 25.01.2023, alleging that he was engaged in the business of recycling used Mobil oil and that his brother, Manjeet Singh, used to procure the same from various

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workshops and then sell it to him. He kept bolero vehicle for this purpose. The present petitioner and one Ranjit Singh @ Jaggi were working as labourers with him. On 20.01.2023, Manjit Singh i.e. victim along with petitioner and Ranjit Singh @ Jaggi had gone in his vehicle to collect Mobil oil from different cities. He had carried cash amount of Rs. 60,000/-. He did not return on that night. His dead body was found lying at civil hospital, Sunam. After making search, he raised suspicion that the victim had been murdered by the present petitioner and Ranjit Singh @ Jaggi. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused Ranjit Singh @ Jaggi were arrested on 26.01.2023. The petitioner suffered disclosure statement admitting his involvement in the crime and by attributing a motive to the effect that the victim had not been making payment of work done by them and hence, by hatching a plan, they had killed him by extending severe beatings to him. The co-accused Ranjit Singh also suffered similar disclosure statement. The petitioner got recovered the vehicle of the victim. The petitioner and co-accused suffered another disclosure statement on 28.01.2023 to the effect that Kala Singh @ Punjab and Mandeep Singh @ Laadi had concealed the dead body of the victim on their asking in lieu of some money. Both of them were also nominated as additional accused and were arrested on 29.01.2023. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of suspicion. There is no eye-

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witness to the murder of the victim. The case is based on circumstantial evidence. A false recovery has been planted upon him. PW-1 Pali Singh who was a witness to allege suffering of extra judicial confession by the petitioner and co-accused has turned hostile. PW-2 Taran Kumar who had allegedly seen the petitioner and co-accused while having a quarrel with the victim at Grewal Petrol Pump has also not supported the prosecution version. He is in custody for a period of over two years, ten months, and fifteen days. He has clean antecedents. Trial is likely to take considerable time to conclude as only 02 prosecution witnesses have been examined so far. Co-accused Mandeep Singh and Kala Singh have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His further detention would not serve any useful purpose. There was no motive for him to commit the murder of the victim. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. *Per contra*, learned State counsel has argued that there are serious allegations against the petitioner, who in connivance with the co-accused Jagjit Singh had committed the murder of the victim on the fateful day. There are chances of petitioner's absconding or committing similar kind of offences if extended benefit of bail. The complainant is yet to be examined. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner in connivance with the co-accused is alleged to have committed the murder of the victim. PW-1 Pali Singh, who was eye-

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witness to allege suffering of disclosure statement by the petitioner and PW-2 Tarun, who had allegedly seen the victim along with the co-accused on the fateful day have not supported the prosecution version as revealed from their testimonies, copies of which have been annexed as Annexure P-6 and P-7 respectively. There is no eyewitness to the murder of the victim and the case is based on circumstantial evidence and the witnesses of two material circumstances have not supported the prosecution version. The trial will obviously take considerable time to conclude since only 02 out of 21 prosecution witnesses have been examined so far. The petitioner does not have criminal antecedents. He has remained in custody for a period of about over two years and eleven months. His continued detention would not serve any useful purpose. Taking into consideration the nature of the evidence which has come on record in the form of statements of material witnesses, the period spent by the petitioner in custody, the fact that the trial is not going to be concluded in near future and that the prolonged incarceration, generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution, but without meaning to make any comment upon the merits of the case, lest they prejudice the trial, this Court is of the considered opinion that a case for release of the petitioner is made out at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any

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inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.

(ii) he shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) he shall appear before the learned trial Court as and when directed.

(iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

(v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switch on all times.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

15th December, 2025
Parveen Sharma

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