



CRM-M-57010-2024

-1-

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

280

CRM-M-57010-2024

Date of decision: 17th January, 2025

Ravinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Ms. Swati Batra, Deputy 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. 66 dated 25.07.2024 registered under Sections 124(1), 109(deleted) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS' and later on added Sections 318(4), 316, 61(2) and 103(1) of BNS at Police Station Baddi Ala Singh, District Fatehgarh Sahib, Punjab.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was initially registered on the basis of statement recorded by Balwinder Kaur wife of victim Amandeep Singh on the allegations that on the night of 25.07.2024, an unknown person had thrown some flammable substance/acid through window of her house on her husband while he was sleeping. Her husband had woken up and raised a



clamour as his body had started burning. The complainant who was sleeping with her two daughters in the same room, had also woken up and saw that there was heavy smoke in the room. The clothes and body of her husband had been severely burnt. She raised alarm and tried to save her husband by pouring water over him. The injured was rushed to the hospital. She also informed that while leaving the room, she heard sound of some person climbing over the stairs and fleeing from there.

3. As per the further allegations, on 29.07.2021, Harmandeep Kaur daughter of Balwinder Kaur and the victim recorded a statement before the Investigating Officer informing that there was an FDR of an amount of Rs. 8,00,000/- in the name of her grandfather Surjant Singh who had died on 17.03.2024. On 23.07.2024, she herself along with her father had gone to Indusind Bank to open an account and found that the amount of the above FDR had been got released with money withdrawn through multiple transactions on different dates. On making inquiry, her mother Balwinder Kaur i.e. co-accused admitted that she withdrew that money. When she was questioned, she became argumentative which resulted in quarrels at their home. She further informed that on hearing the alarm raised by her father on the fateful night, she too had woken up and found smoke coming from the bed where her father was sleeping. She also disclosed that Balwinder Kaur had left the room without trying to rescue her father and also that upon confronting with her mother i.e. accused Balwinder Kaur, she admitted that, she was the one who poured acid on the victim. On the basis of her statement, offence under Section 109 of IPC was added. Accused Balwinder Kaur was nominated as an accused. She was arrested on 29.04.2024. On



interrogation, she suffered a disclosure statement admitting her involvement in the subject crime and also about the fact that after death of her father-in-law, she had found FDR in his name in a wardrobe. Therefore, out of greed, she contacted the present petitioner seeking assistance in getting the amount of the FDR released and had got the same withdrawn with his help. She also disclosed that when the factum of withdrawal had come to notice of her husband and daughters and she was confronted by them. Feeling scared, she contacted the present petitioner and then poured acid on her husband.

4. On the basis of statement of Balwinder Kaur, the present petitioner was nominated as an accused. He was arrested on 05.09.2024 and admitted the factum of his involvement in getting the amount of FDR in the name of grandfather of the complainant released and withdrawing the money from the said FDR. The victim Amandeep Singh succumbed to his injuries on 17.09.2024 and died. Offence under Section 109 of BNS was deleted and offence under Section 103(3) was added. Inquest proceedings and post-mortem examination of dead body was conducted. The investigation stands concluded. The petitioner had moved an application for grant of regular bail which was dismissed by the Court of learned Additional Sessions Judge, Fatehgarh Sahib vide order dated 21.10.2024.

5. 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 05.09.2024. There is neither any allegation of his hatching conspiracy with the co-accused for committing murder of the victim nor there are allegations of abetting any such offence or causing hurt to the victim. The co-accused in her disclosure statement has admitted the



factum of borrowing a sum of Rs. 2,00,000/- from the petitioner in past and then providing him with the ATM card and pin details of her father-in-law to allow withdrawal as repayment. He has no direct involvement in the murder of the victim. He was only involved in a financial transaction. He is not a perpetrator of the acid attack on the victim. The co-accused herself has admitted throwing acid on her husband after dispute over funds. The petitioner has no criminal antecedents. His further detention is not going to serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

6. Status report has been filed by respondent-State. Learned Deputy Advocate General, Punjab has argued that there are serious allegations against the petitioner. He abetted the commission of offence of murder of the victim by the co-accused. The petitioner by using the mobile phone of Surjant Singh in-conivance with the co-accused Balwinder Kaur got the FDR in her name broken/released in an unlawful manner. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that petition does not deserve to be allowed.

7. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

8. As per the allegations, accused Balwinder Kaur in-conivance with the present petitioner had got released the amount of FDR in the name of her deceased father-in-law and had withdrawn the same by getting used ATM card in the name of Surjant Singh with the help of present petitioner in a fraudulent manner and by concealing this fact from the husband of the co-



accused. The prosecution case is that when the factum of withdrawal of the amount of FDR had come to the notice of the victim, he had confronted the accused Balwinder Kaur and feeling scared, she had contacted the present petitioner. The allegations against the present petitioner are that he had told the co-accused to find out some permanent solution for her problem. The question as to whether, he abetted the murder of the victim by the co-accused or there was any instigation on his part to do so, is a debatable question. There is no allegation that he had connived with the co-accused to eliminate the victim. The allegations of hatching a conspiracy by him with co-accused to commit the murder of the victim are also debatable. These questions will be determined by learned trial Court on thorough assessment of the evidence to be produced during trial and not at this stage. However, keeping in view the discussion as made above, while considering the nature of the allegations as levelled against the petitioner, the period of incarceration, coupled with the fact that the trial is likely to take time but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same 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 further subject to the condition that he will not try to contact either of the prosecution witnesses or intimidate any of them during the course of trial and shall not leave the country without prior permission of the learned trial Court.

7. In case of violation of any of the above conditions, the



jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

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

[MANISHA BATRA]
JUDGE

17th January, 2025

Parveen Sharma

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