

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

**CRM-M-61341-2024
Reserved on: 17th March, 2025
Pronounced on: 24th March, 2025**

Gurdeep Singh @ Gaggu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

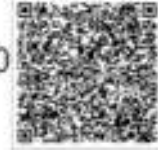
Present: Mr. J.K. Singla, Advocate and
Ms. Shivani Singla, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

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. 81 dated 15.08.2020 registered under Section 302 read with Section 34 of IPC at Police Station Jaurkian, District Mansa.

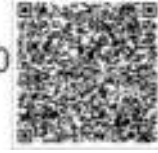
2. The aforementioned FIR had been registered on the basis of statement recorded by the complainant Buta Singh on 15.08.2020, on the allegations that in the intervening night of 13/14.08.2020, he along with his family members was sleeping in his house. His son Baru Singh was sleeping on the roof. At about 01:00 AM, the complainant had gone there and saw that Baru Singh was talking on phone with someone. The complainant suspected that he was talking with Jaspreet Kaur @ Hardeep Kaur, who was



a co-villager and was married to one Satpal Singh. He again went on the roof at about 2:00-3:00 AM and found his son to be missing. Calls were made to his son but he did not respond. At about 6:30 AM, he received information about someone having fallen in the Dharamshala of their vicinity. The complainant reached there and found the dead body of his son Baru Singh was lying therein. Several injuries were found on the person of the victim. He raised suspicion that the petitioner and Jaspreet Kaur @ Hardeep Kaur had a hand in murder of his son. He also disclosed that the bed sheet over which the dead body of his son had been kept was belonging to the accused Jaspreet Kaur. After registration of FIR, investigation proceedings were initiated.

3. As per the further allegations, the petitioner and the co-accused Jaspreet Kaur were arrested on the same day. They were interrogated and suffered disclosure statements admitting their involvement in the murder of the victim. The petitioner got recovered a wooden log used by him to inflict injuries on the person of the victim. The co-accused Jaspreet Kaur got recovered mobile phone of the victim. Investigation stands concluded.

4. 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-witness to the murder of the victim. The entire case rests upon circumstantial evidence and no circumstance connecting the petitioner with the murder of the victim has been collected during investigation. The petitioner had no motive to kill the victim. The complainant already stands examined. Even in his sworn deposition, complainant Buta Singh has raised suspicion against the petitioner without making any substantive allegations.



He has been in custody since 15.08.2020. There are no chances of his intimidating the witnesses. His presence at the spot of occurrence has not been established. He had no connection with the co-accused and hence, there is no reason for his committing the subject offence. His further incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

5. Status report has been filed by respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be given concession of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

7. The petitioner along with the co-accused is alleged to have committed the murder of the victim on the intervening night of 13/14.08.2020. The weapon of offence has been recovered at his instance. Trial is going on and there is nothing on record to show that there would be any undue delay in conclusion of the same. It is well settled proposition of law that where offences alleged are serious and grave in nature, long period of incarceration and the fact that the trial is not likely to be concluded in near future may not be a ground entitling the accused to be released on bail. The allegations against the petitioner are serious in nature. Keeping in view the nature of allegations as levelled against the petitioner, 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.

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

[MANISHA BATRA]
JUDGE

24th March, 2025
Parveen Sharma

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