



CRM-M-68905-2025

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

CRM-M-68905-2025

Date of Decision: 11.12.2025

Sunny

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gaurav Kalsi, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.57 dated 17.05.2024 under Sections 302, 201 IPC, registered at Police Station Sujanpur, District Pathankot.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of Inspector Lovepreet Singh. It was alleged that on 13.04.2024, a human body was found in the cemetery of village Khudawar, one hand and both feet of which were visible on the ground. Finding it suspicious, body was exhumed from the cemetery and kept in the mortuary of the hospital. Lateron, statement of Puran Singh was recorded, on the basis of which, Jitender, who belonged to Banjara community, was found to be involved and thus, he was interrogated. On his interrogation, it was found that the dead body was of his wife Amruti. In his interrogation, complicity of the petitioner, namely, Sunny also surfaced and he was also arrayed an accused. He was arrested on 12.05.2024. Postmortem of the dead body was conducted. On completion of the investigation, challan was



presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Pathankot praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.10.2024. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It is submitted that neither the petitioner is named in the FIR, nor any overt act has been attributed to him. He submits that the petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused Jitender, who was found to be the husband of the deceased. It is submitted that even as per the case of the prosecution, only role attributed to the petitioner is that after committing murder of Amruti by her husband, the petitioner accompanied him in burying the dead body. He submits that the petitioner has no criminal antecedents and he is behind bars since the date of his arrest and has completed incarceration of 1½ years. He also submits that main prosecution witness Puran Singh has turned hostile. He, thus, submits that in these circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner surfaced during the investigation. He submits that in a well hatched conspiracy, Amruti was murdered. As per the postmortem report, 20 injuries were found to have been suffered by the



deceased. He submits that after committing murder, the dead body was taken in the car for burial and the petitioner accompanied co-accused Jitender. On instructions, he submits that out of 27 prosecution witnesses, 07 witnesses stand examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is entirely based on the circumstantial evidence. Complicity of the petitioner in the present case is on the basis of disclosure statement of co-accused Jitender, who is husband of the deceased. As per investigation carried out, role of the petitioner was found to the extent that after committing murder, he accompanied the co-accused for burial of the dead body. Driver of the car, Puran Singh has been examined before the trial Court, who has not supported the case of the prosecution. Perusal of the custody certificate would show that the petitioner has suffered incarceration of 01 year, 06 months & 17 days as on 10.12.2025. It further shows that the petitioner has no criminal antecedents.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is



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ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.12.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No