



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120 (02 cases) +121

CRM-M-21204-2025(O&M)
CRM-M-806-2026(O&M)
CRM-M-41510-2025(O&M)
Date of decision: 11.03.2026

1. CRM-M-21204-2025(O&M)

Avtar Singh ...Petitioner

VERSUS

State of Punjab ...Respondent

2. CRM-M-806-2026(O&M)

Ram Singh ...Petitioner

VERSUS

State of Punjab ...Respondent

3. CRM-M-41510-2025(O&M)

Pooja ...Petitioner

VERSUS

State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. G.S. Jagpal and Mr. Varun Sharma, Advocates
for the petitioner(s) in CRM-M-21204-2025 &
CRM-M-806-2026.

Mr. Sushil Bhardwaj, Legal aid counsel with
Ms. Himani Kapila, Advocate for the petitioner
in CRM-M-41510-2025.

Mr. Mohit Kapoor, Sr.DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

All these three petitions, arising out of the same case bearing
FIR No.75 dated 29.08.2024 registered under Sections 103, 238, 61(2), 62 of
the Bharatiya Nyaya Sanhita, 2023 at Police Station Mallanwal, District
Ferozepur and having been filed by three different accused are being decided
by a common order.

120 (02 cases) +121 CRM-M-21204-2025(O&M)
CRM-M-806-2026(O&M)
CRM-M-41510-2025(O&M)

2. While petitioners Avtar Singh (in CRM-M-21204-2025) and Pooja (in CRM-M-41510-2025) are seeking regular bail, petitioner-Ram Singh (in CRM-M-806-2026) is seeking interim bail in the present case.

3. For the facility of reference, facts are being extracted from CRM-M-21204-2025 titled as ***“Avtar Singh Vs. State of Punjab”***.

4. The above case has been registered against applicants/accused and one Pooja on the statement of Neetu sister of deceased, on the grounds that Ramandeep Singh, her brother is married to Pooja, who has relations with Ram Singh and when Inderjit Singh, his another brother, used to prevent them from talking to each other, Pooja used to threat him that he is to be removed. On 22.08.2024 complainant received a phone call from Pooja that Inderjit Singh has left the home on 21.08.2024 without disclosing his whereabouts. Till 24.08.2024, they could not trace Inderjit Singh. So, application was moved at PS Mallanwala and police issued proclamation with regard to Inderjit Singh having gone missing. During inquiry, they came to know that Ram Singh has come from abroad at his Village Kohala and Pooja has admitted before them that on the night of 21.08.2024, at about 12 in the night, Ram Singh was called by her at her house. When Inderjit Singh came to know about the same, he objected to the same. Ram Singh gave a wooden batten blow in the head of Inderjit Singh and he died at the spot. She and Ram Singh had stuffed the dead body in a plastic bag and on 22.08.2024, at about 11 AM, Ram Singh alongwith Avtar Singh came on motorcycle of Avtar Singh and after keeping the dead body of Inderjit Singh on motorcycle, the dead body was disposed of.

5. Learned counsel appearing on behalf of the petitioners contend that the petitioners have been implicated in the present case solely on a confessional and disclosure statements. They contend that no dead body has been recovered by the police, hence, prima facie there is no evidence as would reflect murder of Inderjit Singh. They further contend that it has been alleged that the deceased was murdered by Ram Singh (petitioner in CRM-M-806-2026) by giving a Ghotna blow (heavy wooden stick) which was stated to be lying in the house of Pooja (petitioner in CRM-M-41510-2025). It is however submitted that the said weapon had no blood-stains or traces of any DNA as would establish that the same was used in the commission of the offence or not. As per the case set up by the prosecution, Ram Singh had come over to meet Pooja around midnight. Inderjit Singh however came to know of the same, whereupon Ram Singh allegedly gave a blow. Hence, there was no conspiracy or plan of petitioner-Pooja to murder and no role has been attributed to her as well. It is further submitted that it has also been alleged that after killing Inderjit Singh, petitioner-Ram Singh came with his brother Avtar Singh, in the morning, in order to seek assistance in disposing of the body and as per the allegation, the body was allegedly packed in a plastic bag and thrown in a canal. It is contended that so far as petitioner-Avtar Singh and Pooja are concerned, they have been nominated as accused with the aid of Section 61(2) BNS i.e. Section 120-B IPC. The allegation prima facie against the petitioners-Avtar Singh and Pooja would only be limited to commission of offence under Section 238 BNS i.e. concealing/destroying the evidence and not in relation to criminal conspiracy. It is further submitted that petitioner-Ram Singh had been

120 (02 cases) +121 CRM-M-21204-2025(O&M)
 CRM-M-806-2026(O&M)
 CRM-M-41510-2025(O&M)

arrested on 09.09.2024 while petitioner-Pooja and Avtar Singh was arrested on 29.08.2024. The petitioners have no criminal antecedents and they are not involved in any other case. Further, the investigation in the case is already complete and that the charge also stands framed on 19.07.2025. It is argued that 24 witness have been cited by the prosecution and none has been examined so far and as such the conclusion of trial shall take a long time and in view thereof the concession of regular bail be extended to petitioners Avtar Singh (in CRM-M-21204-2025) and Pooja (in CRM-M-41510-2025).

6. Counsel appearing on behalf of petitioner-Ram Singh (in CRM-M-806-2026) contends that mother of the petitioner is suffering from lipoma in right thigh and the doctors have advised her surgery. The corresponding medical records have also been annexed with the petition (CRM-M-806-2026) as Annexure P-2 & P-3. In view of the aforesaid, counsel prays that interim bail for a period of one month in the instant FIR be granted to the said petitioner in order to arrange the necessary funds and enable him to get his mother medically treated.

7. Learned State Counsel does not dispute the fact to the extent that body of Inderjit Singh has yet not been recovered and that no bloodstains or DNA evidence was present on the Ghotna (heavy wooden stick) alleged to be used for committing murder of Inderjit Singh or collected from the house elsewhere. He, however, contends that there are photographs which would reflect that the dead body of Inderjit Singh was put in a plastic bag and was thereafter thrown in *hang* canal by the petitioner-Ram Singh and Avtar Singh and the same had yet not been recovered despite best efforts. He also does not dispute that the evidence is

yet to commence and 24 witnesses are yet to be examined. The period of actual custody of nearly 01 year and 06 months, already undergone by the petitioners is also not controverted. He further does not dispute the medical condition of the mother of petitioner-Ram Singh (in CRM-M-806-2026).

8. A specific question was put to the State Counsel whether any material has been placed on record or any evidence has been collected so as to establish the illicit relationship of petitioner-Pooja with petitioner-Ram Singh, however, he is not in a position to refer to any such evidence, at this stage. He submits that even though he has seen the photographs of petitioners-Avtar Singh and Ram Singh carrying the big plastic bag on a motorcycle, however, submits that the same are not currently in his possession, for examination by the Court. The size of the bag and its ability to put in a man thus remain a guess.

9. A further question was put to learned State Counsel regarding the motive attributed to petitioner Ram Singh for the alleged murder of Inderjit Singh. Learned State Counsel submitted that Inderjit Singh had come to know about the illicit relationship between petitioners-Pooja and Ram Singh and apprehending that Inderjit Singh might disclose the said relationship to his brother-Ramandeep Singh, husband of Pooja, petitioner-Ram Singh eliminated him in order to prevent the disclosure of their alleged affair. However, it is noticed by this Court that as per the prosecution case itself, the complainant-Neetu, who is the sister of the deceased-Inderjit Singh had already been informed by Inderjit Singh about the illicit relationship. In such circumstances, a specific query was put to the learned State Counsel as to what motive would still survive for the petitioner-Ram

120 (02 cases) +121 CRM-M-21204-2025(O&M)
 CRM-M-806-2026(O&M)
 CRM-M-41510-2025(O&M)

Singh to eliminate Inderjit Singh, when the alleged relationship had already been disclosed by him to another member of the family. Surprisingly, petitioner-Pooja is alleged to have confessed to the crime herself in front of her husband, yet, the husband does not inform the police of the said confession. State Counsel is not readily in a position to answer the same.

10. I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended along with the present petitions.

CRM-M-21204-2025 & CRM-M-41510-2025

11. In view of the facts and circumstances as noticed above and taking into consideration the nature of allegations, the period of custody already undergone by the petitioners, their clean antecedents coupled with the fact that arguable issues with respect to the questions posed by this Court pertaining to whether petitioners-Pooja and Avtar Singh can be said to be conspirators in murder or not, would arise for consideration before the Trial Court and further bearing in mind the stage of the trial (where no witness has been examined and as such it is likely to take a long time to conclude), I deem it appropriate to allow the present petitions.

12. The instant petitions are ***allowed*** and the petitioner-Avtar Singh (in CRM-M-21204-2025) and petitioner-Pooja (in CRM-M-41510-2025) are ordered to be released on regular bail on their furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

13. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

14. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

CRM-M-806-2026

15. It is noticed that petitioner-Ram Singh (in CRM-M-806-2026) has sought interim bail for a period of 01 month in order to enable him to get medical treatment of his mother, aged 60 years who is stated to be suffering from Lipoma on the right thigh and has been advised surgery by the doctors.

16. In view of the above aforesaid submission as well as corresponding medical evidence placed on record, petition bearing (CRM-M-806-206) is **allowed**. Accordingly, petitioner-Ram Singh is ordered to be released on interim bail for a period of 01 month commencing w.e.f. his release from the concerned Jail on his furnishing bail bonds to the satisfaction of the Trial Court/Duty Magistrate.

17. The petitioner-Ram Singh is directed to surrender before the concerned jail on completion of 01 month after his release.

18. Pending application(s), if any, shall stand disposed of.

11.03.2026

Sumit Gusain

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

**(VINOD S. BHARDWAJ)
JUDGE**