

CNR No. PBPO010057242025



Case No. BA/1625/2025

Presented on : 14-11-2025
Registered on : 14-11-2025
Decided on : 17-11-2025

In the Court of Jatinder Pal Singh Khurmi,
Sessions Judge, Pathankot.
(UID No. PB-00057)

BA No.754 of 14.11.2025
CIS No.BA/1625/2025
CNR No.PBPO010057242025
Date of Order: 17.11.2025.

Deepak Kumar @ Tattoo, age 22 years son of Sh.Kamaljit Singh,
resident of Abrol Nagar, Pathankot, Tehsil and District Pathankot.

...Applicant-accused.

Versus

State of Punjab
...

...Respondent.

FIR No.0023 dated 06.03.2022.
U/Ss. 302, 341, 34, 148, 149, 379 read
with Section 34 IPC, 120-B IPC, later on
added 404 IPC.
PS Division No.1 Pathankot.

...

(Second Bail application U/s 483 of BNSS).

Present: Sh.Omesh Sammuchakwala, Advocate for the applicant-
accused.
Sh.Arun Kumar, Additional Public Prosecutor for the State
assisted by Sh.Gurmail Singh Kahlon, Advocate for the
complainant Kishan Chand.

ORDER:

1. Heard, on the second regular bail application under
Section 483 of BNSS, 2023 moved on behalf of the applicant/accused

namely Deepak Kumar @ Tattoo.

2. Upon notice, bail application is opposed by learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant on the ground that allegations against accused are serious and he cannot be granted bail because the offence is heinous in nature. Prayer for dismissal of the bail application has been made.

3. Police record summoned and perused. Original file bearing CIS No.SC/42/2022 titled as “State of Punjab Vs. Gurdeep Singh @ Kaka and Ors”, which is fixed for prosecution evidence for 28.11.2025 has also been taken up for disposal of the present bail application.

4. I have heard the arguments advanced by Learned Counsel for the applicant-accused and Learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant and also have gone through the record carefully.

5. FIR was registered on the statement of complainant Kishan Chand son of Amar Nath, resident of Baba Lal Dyal wali Gali Abrol Nagar Pathankot, who stated that he has come on pension from the Army. He has two children, elder daughter namely Shivani who is married and younger son Rahul Kumar, aged about 28 years, who works in repairing RO and filters.

5.1. It has been further stated by the complainant that on 05.03.2022, his son had left the house for his work in the morning in his car Swift bearing registration No.PB-35-AG-0259. It was about 11:00/11:30 PM, his son did not come home, so he came from home to the main street. When he reached little behind from Tony Welding shop

and his son was standing near Deepak Kumar @ Tattoo son of Kamaljit Singh, resident of Abrol Nagar. In the mean time, Gurdeep Singh @ Kaka son of Ram Singh, resident of Abrol Nagar armed with ganadasi came there, who was also the resident of the same street and hit his son multiple times from his backside on his head. His son fell down in the street in injured condition. Suddenly, his nephew Ramesh Kumar @ Sanku son of Tarsem Lal, resident of Abrol Nagar came on the spot and they both raised alarm 'Mar Ditta-Mar Ditta' and then above said assailants fled away from the spot along with weapon.

5.2. It has been further stated by the complainant that he is absolutely sure that Deepak Kumar stopped his son in the street under a conspiracy and in consultation with Gurdeep Singh killed his son by inflicting injuries to him. He has seen the whole incident with his own eyes because the street lights were on in the street.

5.3. It has been further stated by the complainant that the reason behind this dispute is that 6-7 months ago, Gurdeep Singh had a fight with his son, which the respectable persons of the locality had decided mutually. Due to this quarrel, Deepak Kumar and Gurdeep Singh killed his son last night in in consultation due to which he died. On the basis of aforesaid statement of the complainant, the present FIR was registered.

6. Learned Counsel for the applicant-accused has argued that false case has been registered against the applicant. He is innocent. The applicant has no concern with the present occurrence/recovery. He is only bread winner of his family. No recovery has been affected from

the applicant/accused and the police has manipulated this false recovery.

6.1. It has been further argued that the applicant/accused is in judicial custody for the last about three years and eight months. The police has already presented the challan in the present FIR and adjudication of the case will take time. No fruitful purpose will be solved by keeping the applicant in custody. Earlier the applicant/accused has filed first bail application on 24.11.2022 bearing no.1083/2022, which was got dismissed on 29.11.2022 by the court of Sh.Kulbhushan Kumar, the then learned Additional District Judge, Pathankot. The applicant/accused undertakes to abide by all the terms and conditions lay down by this court. He prayed for allowing the present bail application.

7. On the other hand, Learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant have argued that the name of the applicant/accused has been mentioned by the complainant specifically in his statement. The complainant has also levelled the direct allegations against the applicant/accused.

7.1. It has been further argued that as the applicant/accused has murdered the son of the complainant with the help of sharp edged weapon in the open street and as such, he is not entitled to be released on bail. Hence, he prayed for dismissal of the bail application.

8. Now, from the facts of the case and perusal of the police record, it has come out that co-accused Gurdeep Singh @ Kaka son of Ram Singh, resident of Abrol Nagar, who was armed with ganadasi hit

the deceased Rahul Kumar on the backside on his head and the applicant/accused Deepak Kumar @ Tattoo has also participated in the said commission of crime and played active role to commit the heinous offence.

9. Accordingly, keeping in view the above said facts and circumstances, this Court is of the considered opinion that the complainant Kishan Chand has got recorded this fact in the FIR that when he reached little behind from Tony Welding shop and his son was standing near Deepak Kumar @ Tattoo son of Kamaljit Singh, resident of Abrol Nagar. In the mean time, Gurdeep Singh @ Kaka son of Ram Singh, resident of Abrol Nagar armed with gandasi came there, who was also the resident of the same street and hit his son multiple times from his backside on his head. The complainant is alleged to be the eye witness of the occurrence in whose presence, the applicant/accused with the connivance of co-accused Gurdeep Singh inflicted injuries on the back side of head of Rahul Kumar by using the gandasi and murdered him. The applicant/accused with the connivance of co-accused Gurdeep Singh has committed the heinous crime in the open street. The first regular bail application filed by the applicant/accused has already been dismissed by the court of the then learned Additional Sessions Judge, Pathankot vide order dated 29.11.2022 and no new ground is made out for granting the regular bail to the applicant/accused at this stage. As the allegations against applicant/ are serious in nature. So, this Court does not deem it fit to grant the concession of regular bail to the applicant/ accused and the instant bail

application of applicant/accused Deepak Kumar @ Tattoo is hereby dismissed. Police record returned. Bail application file be attached with the main trial.

**Announced in open Court:
Dated: 17.11.2025**

**(Jatinder Pal Singh Khurmi),
Sessions Judge, Pathankot.
(UID No. PB-00057**

'Ajay Kumar-SG-1'

"I attest to the accuracy and authenticity of this document."