

2026:PHHC:093631



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

245

CRM-M-24393-2026 (O&M)  
Date of Decision: 16.07.2026

Rohit Sehgal @ Bulli

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ribhav Chadha, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

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MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of the BNSS, 2023 seeking regular bail in case arising out of FIR No.48 dated 27.04.2021, registered under Section 302 of IPC at Police Station Division No. 1, District Jalandhar. His previous petition was dismissed by this Court, vide order dated 11.12.2024 passed in **CRM-M-52616-2024**. The operative part of the order dated 11.12.2024 reads as under:

“6. The petitioner is alleged to have murdered his own brother on the night of 26.04.2021 by giving stab wound to him with a knife, while both of them were consuming liquor. The FIR had been lodged on the basis of complaint recorded by the father of the victim and the petitioner, who was an eye-witness to the incident. Copies of statements of father of the petitioner as well as other

witnesses have been placed on record and the same show that they have not supported the prosecution version and have not implicated the petitioner in commission of offence of murder of the victim by saying that some unidentified assailant entered into the house of the victim and killed him. However, keeping in view the fact that the complainant was none other than the real father of the petitioner the possibility of his cringing with the petitioner cannot be ruled out. The other witnesses are also brother and neighbourers respectively of the petitioner. The deposition made by the complainant that some unknown person had entered into their house and killed the victim is to be considered on thorough assessment and evaluation of the evidence to be produced on record during the trial since it is a debatable question that as to why the fact that some unknown person had killed the victim was not disclosed by the complainant and other material witnesses at the time of lodging of the FIR or during the course of investigation. Keeping in view the serious nature of the allegations levelled against the petitioner, the 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. Accordingly, the same is dismissed.”

2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody for the last over 05 years and 02 months. There is prolonged pendency of the trial in the present case and there is no likelihood of its conclusion in the near future. Trial has also not progressed since the date of dismissal of his previous petition. The extended period of his incarceration is a sufficient and new ground to seek concession of bail to him. His continued detention would not serve any useful

purpose. His continued detention militates against his fundamental right under Article 21 of the Constitution of India. No useful purpose would be served by detaining him into custody anymore. Hence, it is urged that the petition deserves to be allowed.

3. Status report and custody certificate have been filed by respondent-State. It is argued by learned State counsel that taking into consideration the gravity of the allegations levelled against the petitioner, he does not deserve to be released on bail. His previous petition has been dismissed by this Court by passing a detailed order. The instant one, which is a successive petition, has been filed without there being any substantial change in circumstances. Therefore, it is stressed that the petition does not deserve to be allowed.

4. This Court has heard learned counsel for the parties at considerable length.

5. Although the previous petition of the petitioner was dismissed by this Court on 11.12.2024, however, he has now undergone a period of more than 05 years and 02 months. The trial is still pending and its conclusion is likely to take more time as only 11 out of 24 prosecution witnesses have been examined so far. These facts amount to substantial change in circumstances in the opinion of this Court, which entitles the petitioner to seek concession of bail. The petitioner, being an undertrial, cannot be kept in custody for an indefinite period awaiting conclusion of the trial. The right to personal liberty guaranteed under Article 21 of the Constitution of India includes the right to a speedy trial and every additional day spent in custody without conclusion of the trial has a direct bearing on that valuable right. Keeping in view the aforesaid facts and circumstances,

this Court is of the considered opinion that no useful purpose would be served by detaining the petitioner into custody anymore and a case has been made out for his release on bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned and subject to his not being required in any other case.

6. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

16.07.2026

*Waseem R. Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*