



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3058-2025

Reserved on: 8th August, 2025

Pronounced on: 20th August, 2025

Lovepreet Singh @ Bablu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Ms. Ramta Chowdhary, Deputy Advocate General, Punjab.

MANISHA BATRA, J :-

The instant one is the second petition filed by the petitioner seeking grant of regular bail in case bearing FIR No. 86 dated 17.08.2022 registered under Section 364 of IPC (Sections 302, 201, 212 and 34 of IPC) at Police Station Payal, Police District Khanna, District Ludhiana. His first petition bearing CRM-M-29898-2024 had been dismissed vide order dated 08.07.2024.

2. The petitioner along with the co-accused is facing trial for committing murder of the victim Jagdev Singh on the evening of 16.08.2022 as well as for causing disappearance of his dead body. The previous petition as filed by the petitioner had been dismissed by making the following observations:-

“The petitioner along with the co-accused is alleged to murdered the victim on the night of 16.08.2022 and is further



alleged to have thrown the dead body of the victim into the canal to cause disappearance of offence of the murder. He along with the co-accused was seen in the aforesaid car on the fateful night by PW Hardeep Singh and in his statement recorded under section 161 of Cr.P.C. before the police, the above said Hardeep Singh stated that the petitioner had suffered an extra judicial confession before him about committing murder of the victim. The allegations against the petitioner are serious in nature. It is well settled proposition of law that that in serious offences, the period of incarceration alone is not sufficient to extend benefit of bail to an accused. The case of the co-accused, who have been extended benefit of bail, cannot be stated to be at par with that of the petitioner since they have been chargesheeted only under Sections 212 and 201 of IPC and not under Section 302 of IPC. Keeping in view the nature of the allegations as 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 comments on the merits of the case, I am of the considered opinion that the that the petitioner does not deserve to be extended benefit of bail, at this stage. Therefore, the petition is dismissed.”

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 19.08.2022. He was not named in the FIR. The case is based on circumstantial evidence. The co-accused- have been extended benefit of bail. A false recovery has been planted upon him. There is no direct evidence to connect him with the crime. The testimony of Hardeep Singh, who is claimed to be a witness to the extra judicial confession allegedly made by the petitioner, lacks credibility. After dismissal of his previous petition, only one witness has been examined so



far. Prolonged custody is a sufficient reason for extending bail to him. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned State counsel has argued that the previous petition as filed by the petitioner was dismissed after taking into consideration all the contentions as raised by the petitioner in this petition. There is no substantive change in the circumstances. Merely prolonged incarceration of the petitioner cannot be considered a ground for extending benefit of bail to the petitioner keeping in view the heinous nature of the crime committed by him. It is, therefore, urged that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner is alleged to have committed the murder of the victim Jagdev Singh and to have thrown his dead body into a canal. Witness Hardeep Singh has since been examined before the learned trial Court. A copy of his sworn deposition has been placed on record and he is shown to have stated that on the fateful evening, he had seen the petitioner along with the co-accused while going in a car from the area where the land of the victim was situated and his car was driven at high speed. He is also shown to have stated that the petitioner and the co-accused had suffered an extra judicial confession before him on 18.08.2022, admitting that they had committed murder of Jagdev Singh. The allegations against the petitioner are serious in nature. His previous petition had been dismissed by making a detailed discussion. Learned counsel for the petitioner has not been able to point out any substantive change in the circumstances except the fact that a



period of more than one year has expired since the date of dismissal of his previous petition. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. There is no substantive or specious change in the circumstances from the date of dismissal of the previous petition as filed by the petitioner. It is also well settled that there must be drastic change during the period between two applications for the successive application to be allowed, which is not there in this case. As such, I see no ground to allow the petition. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

20th August, 2025

Parveen Sharma

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