



CRM-M-4929 of 2025

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

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CRM-M-4929 of 2025
Date of Decision: 01.12.2025

Navdeep Singh @ Jimmy

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Amritpal Singh Gill, AAG, Punjab.

Mr. Barjinder Singh, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.73 dated 11.03.2023 registered under Sections 304, 201 and 34 of the IPC (Charges framed under Section 302 read with Section 34 IPC or in the alternative, Section 304 read with Section 34 IPC and Section 201 IPC), at Police Station B-Division, District Amritsar.

2. Brief facts of the present case are that the petitioner in connivance with other accused murdered one Sunny Mishal (son of the complainant) by administering some intoxicating substance. Hence, the present FIR.

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3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argues that the petitioner has no concern with the death of Sunny. He further argues that if the contents of the FIR are taken to be true, even then no specific role is attributed to the present petitioner and the entire story is based on suspicion. He argues that as per report of chemical examiner, no poison was detected in the body of Sunny. Moreover, the petitioner has clean antecedents as he is not involved in any other case. He further argues that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Manpreet @ Mani and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. Further, co-accused Manpreet alias Mani, has already been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide order dated 26.09.2025. The petitioner is in custody since 17.03.2023. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 24 prosecution witnesses and out of them, only 02 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature and he has actively participated in the crime.

He argued that the petitioner along with co-accused persons had brought



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dead body of the deceased Sunny Mishal to Civil Hospital Sangrur and thereafter, fled away from the spot, leaving the dead body of the deceased in the hospital and hence, there are specific allegations against him. However, he has not controverted the fact that the petitioner is first time offender as he is not involved in any other case.

5. Learned counsel for the complainant, while opposing the prayer for grant of regular bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 02 years and 08 months; he has clean antecedents, investigation is complete; challan stands presented; charges framed; out of 24 witnesses, only 02 have been examined till date; the trial is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

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8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

01.12.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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