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

CRM-M No.7473 of 2025
Date of Decision: 09.04.2025
Reserved on: 28.03.2025

Kuldeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sarbjit Singh Grewal, Advocate,
for the petitioner.

Ms. Swati Batra, DAG, Punjab,
for the respondent-State.

Mr. Arvind Thakur, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0001	07.01.2023	Bhadson, District Patiala	302 and 34 of IPC

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement of complainant Resham Singh as recorded on 07.01.2023 alleging that his brother Jasveer Singh was married with accused Prabhjot Kaur. On 02.01.2023, he had left home on his motorbike while informing his mother that he was going to Sirhind for some important work. He did

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not return. They had made search for him but could not find him. Information was given to police on 04.01.2023. He further alleged that Prabhjot Kaur had illicit relationship with the present petitioner and he used to visit her at their house which was resisted by his brother. The complainant raised suspicion that his brother had been killed by the petitioner in connivance with Prabhjot Kaur and co-accused Pradeep Kumar and Buta. While further alleging that the petitioner and others had disposed of dead body of his brother, he prayed for taking action. Investigation proceedings were initiated. The dead body of victim was recovered from Narwana canal. Postmortem examination of the same and inquest proceedings were conducted. The petitioner and co-accused were arrested on 09.01.2023. On interrogation, the petitioner admitted his involvement in the murder of the victim and also took the names of the co-accused. Chance prints from a liquor bottle recovered from the spot of occurrence were taken and were sent to FSL. As per the chemical examination report, the diatom test was found to be negative which was suggested that the death was not due to ante mortem drowning. Investigation has since been completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of five days in reporting the matter to the police which has not at all been explained. He is in custody since long. The complainant has not appeared for his examination as a witness so far. There is no eye-witness to the murder of the victim. There is no incriminating circumstance against the petitioner. The trial is likely to

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take considerable time to conclude. The co-accused Prabhjot Kaur has since been given benefit of bail. On parity, he too deserves to be released on bail. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. Respondent-State has filed status report. Learned Deputy Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner. The victim had died a homicidal death. By hatching a conspiracy with the co-accused, the petitioner had lured the deceased to a secluded location on the fateful night, made him consume alcohol and caused fatal injuries to him. His dead body was thereafter thrown into the canal to conceal evidence of offence of murder. Prolonged incarceration of the petitioner cannot be considered to be a ground for extending benefit of bail to him. Accordingly, it is urged that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner in connivance with and with the aid of the co-accused is alleged to have committed the murder of the victim. Weapon of offence was recovered at his instance. It is submitted by learned Deputy Advocate General, Punjab that as per the chemical examination report, finger prints lifted from the liquor bottle that was recovered from the spot of occurrence have matched with that of the petitioner. His case cannot be stated to be at parity with the case of co-accused Prabhjot Kaur. The mere fact that the petitioner has undergone certain period of incarceration by itself

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would not entitle the accused to be enlarged on bail, nor the fact that the trial is not likely to be completed in near future is sufficient for enlarging the petitioner on bail as gravity of offence alleged is severe. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest the same prejudice the trial in any manner, this Court is of the considered opinion that the petitioner does not deserve to be released on bail. Hence, the petition is dismissed.

09.04.2025
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(MANISHA BATRA)
JUDGE

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