



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

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CRM-M-22147-2025

Date of decision: 28<sup>th</sup> July, 2025

Kuldeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Saket Bhandari, Advocate for the petitioner.

Mr Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Shivam Kaushik, Advocate for the complainant.

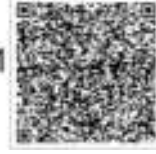
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**MANISHA BATRA, J (ORAL):-**

The instant one is the second petition for grant of regular bail as filed by the petitioner seeking grant of regular bail in case bearing FIR No. 295 dated 27.11.2023 registered under Sections 302, 307, 323, 324, 34, 452 and 506 of IPC at Police Station Ambala Sadar. The previous petition bearing CRM-M-23420-2024 had been dismissed by this Court vide order dated 13.08.2024.

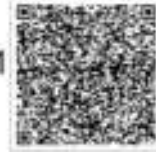
2. The petitioner is facing trial for the commission of the aforementioned offences on the allegations that on 27.11.2023, he along with the co-accused, caused injuries to the victim Paramjit Kaur, which led to her death and had also assaulted the complainant. The previous petition as filed by him had been dismissed by making the following observations:-

6. *“As per allegations, the petitioner along with co-*



*accused Gurvinder had opened an attack on the complainant on 27.11.2023 on account of some inter se dispute with regard to sale of a land by the complainant party. The petitioner was armed with a danda, whereas the co-accused was armed with an axe and they in furtherance with their common intention had caused serious injuries to the complainant and his mother Paramjit Kaur, resulting into her death on 06.12.2023. The complainant had also sustained serious injuries on his head. As per postmortem report, the cause of death of the victim Paramjit Kaur was head injury and its complications. Although, no injury is attributed to the petitioner on the person of the deceased but it cannot be ignored that when the complainant rushed into his house in order to save himself, the petitioner and aforesaid co-accused, both, had chased him, whereupon victim Paramjit Kaur was given severe head injuries with an axe by the co-accused, when she was trying to save the complainant. Section 34 of IPC that has been invoked by the investigating agency, makes a co-perpetrator, who had participated in the offence, equally liable on the principle of joint liability. There are serious and specific allegations against the petitioner. There is nothing on record to show that there would be any undue delay in conclusion of trial. Keeping in view the gravity of offences alleged to have been committed by the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances, this Court is of the considered view that the petitioner does not deserve to be given concession of regular bail, at this stage. Hence, the petition stands dismissed.”*

3. The instant petition has been filed by the petitioner mainly on the ground that after dismissal of the previous petition on 13.08.2024, a period of about eleven months has elapsed. It is submitted that no witness of the prosecution has been examined so far. It is argued by learned counsel for

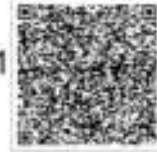


the petitioner that the prolonged period of custody without examination of any witness amounts to a substantive and specious change in circumstances and has entitled him for grant of regular bail. It is, therefore, argued that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Haryana, assisted by learned counsel for the complainant that there are serious and specific allegations against the petitioner, who in furtherance of common intention with the co-accused, had assaulted the victim Paramjit Kaur and the complainant. He was a co-perpetrator of the crime and is equally responsible for the offence according to the principle of joint liability. His previous petition had been dismissed by making detailed discussion. Mere prolonged incarceration of the petitioner is not a ground to extend benefit of bail to him in a case like the present one which amounts to commission of heinous offence by the petitioner. It is, therefore, argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have committed the murder of victim Paramjit Kaur and had also caused injuries to the complainant. His previous petition had been dismissed by passing a detailed order. The petitioner has now come up with the plea that after spending a period of about eleven months in custody after dismissal of the previous petition, no witness has been examined. A detailed order was passed while dismissing the first bail petition of the petitioner. 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**

**28<sup>th</sup> July, 2025**

*Parveen Sharma*

1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No  
: Yes / No