



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-24194-2025 (O&M)
Date of decision: 31.10.2025

Sukhdev Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rishu Mahajan, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr.Vivek Salathia, Advocate for the complainant

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.300 dated 17.11.2023, registered under Section 302 IPC and Section 25/54/59 of Arms Act at Police Station Jandiala, District Amritsar Rural.
2. Learned counsel contends that the petitioner has been in custody for 1 year and more than 3 months. He alleges false implication. As per the allegations, co-accused Harpal Singh, is still in custody, who is stated to have committed the offence with the pistol recovered from him, which belongs to the petitioner and was licensed in his name but stolen by the above co-accused, his nephew recorded in CCTV, with regard to which, a representation/DDR dated 23.11.2013, Annexure P-4 has also been submitted, when he became aware of the theft. There is no evidence to connect him with the alleged incident. Co-accused Vishaldeep Singh @ Vishal, Karan Singh and Sucha Singh being related to each other, were also named in the disclosure statement of Sharanjit Singh @ Sunny have been granted regular bail by this Court vide orders dated 15.09.2025



and 30.09.2025. Challan stands presented on 06.08.2024, however, charges have not been framed and in all there are 18 prosecution witnesses. The petitioner is not involved in any other case.

3. The custody certificate dated 30.10.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 1 year, 3 months and 1 day.

4. Learned State counsel as also learned counsel for the complainant oppose the bail on the ground that a pistol, licensed to the petitioner was used in the commission of crime and he is a co-conspirator. However, learned State counsel is unable to controvert the submissions with regard to stage, co-accused having been granted bail and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 3 months and 1 day; not involved in any other case; co-accused are on bail; challan stands presented on 06.08.2024, however, the charges have not been framed so far and there are a total of 18 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.



- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

31.10.2025

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No