

2025:PHHC:146614



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

217

CRM-M-26563-2025 (O&M)
Date of decision: 29.10.2025

Vishal @ Khuda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vipin Mahajan, Senior Advocate with
Mr. Ramandeep, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 28 dated 22.04.2024, registered under Sections 302, 148, 149, 202, 201 and 34 of IPC (Sections 201, 202, 34 of IPC and Section 29 of the NDPS Act added and Sections 148 and 149 of IPC deleted later on) at Police Station Qadian, Police District Batala, District Gurdaspur.

2. The aforementioned FIR was registered on the basis of the statement recorded by complainant Jeeta on 22.04.2024 alleging that on the previous day, he along with his wife was present at his house, when the present petitioner along with co-accused Sumit @ Chung, Manjit Singh @ Jajji, Amritpal Singh @ Ammy and Pavitar came outside his house and after calling his son Sahil, took him along with them. His son did not return home. In the next morning, his son's dead body was found lying near Batala Road, Qadian.

There were marks of injuries on the dead body. Blood was oozing from the nose.

2025:PHHC:146614



The complainant alleged that the petitioner and the other co-accused had administered some poisonous substance to his son and had caused injuries to him, thereby killing him and had thrown his dead body. The cause of grudge as given by him was some money dispute between the victim and the assailants. Post-mortem examination of the dead body was conducted.

3. As per the further allegations, on 24.04.2024, the complainant recorded a supplementary statement to the effect that accused Manjeet Singh, Amritpal Singh and Pavitar had delivered contraband (heroin) to the co-accused Raju and to the petitioner and both of them had given the same to the victim for consumption. He also recorded that the victim had been taken to the house of accused Bobby @ Pappi and Rani, where he was given injection of contraband and had died. On this statement, accused Bobby @ Pappi and Rani were nominated as such. They were arrested on 24.06.2024. The present petitioner was also arrested on the same day. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In his supplementary statement, the complainant had recorded that he along with accused Sumit had given contraband to the victim for consumption and then had gone away and that the victim had then gone to the house of Bobby, where injection filled with heroin was given to him by the said Bobby and the same had resulted into his death. It is submitted that the death of the victim had taken place in the house of Bobby. A CCTV footage was collected showing the accused Bobby and Rani while taking out the dead body of the victim. The cause of death of victim as reflected from the post-mortem report is injuries and not on account of consumption of any contraband.

No recovery has been effected from the petitioner. The only role attributed to

2025:PHHC:146614



him is that he along with co-accused Sumit had given heroin to the victim. It has not been revealed that the cause of death was consumption of contraband. No evidence to show that the petitioner had caused any injury to the victim has come on record. The complainant and PW-2 have been examined. Their statements do not help the prosecution in connecting the petitioner with the subject offences. He is in custody since long. Only two witnesses have been examined so far. Trial will take considerable time to conclude. Accused Sumit, whose case is at similar footing along with the co-accused Raju, Rani and Manjit Singh have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

5. *Per contra*, it is argued by learned State counsel that there are serious and specific allegations against the petitioner. He was named in the FIR as the person, who along with the co-accused had taken the victim along with them from his house on 21.04.2024. The dead body of the victim was recovered on the next day. Both, the complainant i.e. PW-1 Jeeta and PW-2 his wife, have corroborated the prosecution version that the petitioner had taken the victim along with him and other accused. The case of co-accused Sumeet is not at parity with the case of the present petitioner because the complainant and his wife did not depose about his involvement in the same. The case of the other accused is also not at similar footing. Hence, it is urged that the petition is liable to be dismissed.

6. This Court has heard the rival submissions of both the sides.

7. The petitioner along with co-accused is alleged to have taken the victim along with them on 21.04.2024. The dead body of the victim was

2025:PHHC:146614



recovered from an open place on 22.04.2024. The victim was lastly seen with the petitioner and some other accused. The complainant, in his supplementary statement, had stated that contraband was given by accused Amritpal Singh, Manjit Singh etc. to the present petitioner and co-accused Sumit and both of them had given the same to the victim. In their sworn depositions, the complainant and his wife corroborated the prosecution version to the effect that the victim had been taken from his house by the present petitioner and co-accused Pavitar. Witnesses are shown to have stated that the petitioner along with accused Pavitar had killed their son by administering an injection containing contraband and had caused injuries to him. Both these witnesses had also stated that they had not named accused Amritpal Singh, Manjit Singh and Sumit. As such, the case of the petitioner cannot be stated to be at parity with the case of the co-accused, who have been extended benefit of bail. The allegations against the petitioner are quite serious in nature. Keeping in view the gravity of these allegations, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed, at this stage. Accordingly, the same is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

29.10.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No