



233

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

**CRM-M No.30607 of 2025
Date of Decision: 06.11.2025**

Vikram Singh @ Vicky @ Vikramjit Singh**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.84, dated 24.06.2023, under Sections 302, 201 of IPC, 1860, registered at Police Station Sadar Jalalabad, District Fazilka.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Dara Singh. It was alleged that on 24.06.2023, at about 06:30 A.M., he was going on foot near Semnala of village Hamid Saido Ke. It was alleged that the complainant saw a dead body of woman, aged about 32 years, lying in the pool of blood. It was alleged that some unknown persons have killed the woman and threw the dead body on the bank of seepage canal. The request



was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, the dead body was identified to be of Bharawan Bai. The statement of the husband of deceased was recorded, who suspected the petitioner to be behind the murder as he was trying to establish illicit relations with his deceased wife, to which she refused. Thus, the petitioner was arrayed as an accused in the present case and resultantly, he was arrested on the same day, i.e. 24.06.2023. The postmortem of dead body was conducted. On completion of investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Sessions Judge, Fazilka praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Fazilka declined the bail application filed by the petitioner vide order dated 15.01.2024. Being aggrieved, the petitioner earlier approached this Court praying for the grant of bail by way of filing CRM-M-10422-2024, however the same was dismissed as withdrawn vide order dated 30.09.2024. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. She has submitted that admittedly the case of prosecution is based on the circumstantial evidence. She has submitted that the petitioner has been implicated in this case on the basis of suspicion alone. She has submitted that once the case is based on the circumstantial evidences, the



prosecution is bound to prove the chain of circumstances in order to prove the case beyond reasonable doubt. She has submitted that one of the witnesses, namely, Chhinderpal Singh has been produced by the prosecution as a last seen witness, who has been examined before the learned trial Court as PW-4. She has submitted that the witness, namely, Chhinderpal Singh has not supported the case of prosecution and thus, has been declared hostile. She has submitted that there is no authentic evidence produced by the prosecution to prove the complicity of the petitioner. She has submitted that the petitioner is behind bars from last more than 02 years, however the prosecution has not been able to conclude the trial. She has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. She has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner had a strong motive to eliminate the deceased. He has submitted that number of times, the Panchayats have also been convened to resolve the dispute but the petitioner did not mend his ways. He has submitted that members of the Panchayat, who participated in the Panchayat have also been examined and they have not supported the case of prosecution. He has further submitted that the *earrings* and *dupatta* of the deceased were found missing and the same were recovered from the house of the petitioner. He has submitted that as per the post mortem report, the case of death was Asphyxia due to



strangulation. He has endorsed the fact that Chhinderpal Singh, who has produced as a last seen witness, has not supported the case of prosecution. He, on instructions, has submitted that out of total 21 prosecution witnesses, 18 witnesses have been examined. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the dead body of deceased, namely, Bharawan Bai was found lying in an abandoned place. The case of prosecution evidently is based on the circumstantial evidences. Primarily the evidences produced by the prosecution are the recovery and the last seen witness, namely, Chhinderpal Singh. The last seen witness, Chhinderpal Singh, has already been declared hostile. 03 witnesses still remain to be examined. Custody certificate produced would show that the petitioner has suffered incarceration of 02 years, 04 months and 09 days as on 05.11.2025. It further reflects that the petitioner is not involved in any other case. Needless to say that every accused has the fundamental right of speedy trial.

7. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period



may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

8. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in ‘**Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**’, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

9. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

11. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

06.11.2025

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Whether speaking/reasoned
Whether reportable

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Yes/No
Yes/No

(RAJESH BHARDWAJ)
JUDGE