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

CRM-M-32503-2025 (O&M)

Reserved on : 29.08.2025

Pronounced on : 08.09.2025

Gurvinder Singh @ Lalli**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

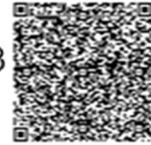
Present:- Ms. Kiran Bala Jain, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J.

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 case bearing FIR No. 140 dated 20.04.2024, registered under Sections 346, 302, 201 and 120-B of IPC at Police Station Ambala City, District Ambala.
2. The aforementioned FIR was initially registered under Section 346 of IPC on the basis of a complaint lodged by the complainant Karan Singh to the effect that victim Digvijay Singh, who was his son, had gone missing since 18.04.2024 after he had left home in his Baleno car along with his friend Lalli. After registration of FIR, investigation proceedings were initiated. On 27.04.2024, a special investigation team was constituted. During the course of investigation, the petitioner was joined into investigation and was arrested. He was questioned. He suffered a disclosure statement admitting the factum of committing murder of the victim and throwing his dead body in the area of bank of SYL canal. The remains of the dead body and clothing of

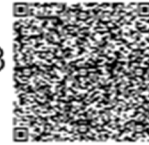
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the victim were recovered at the demarcation of the petitioner. The said clothing was identified to be that of the victim by his parents. Offences under Sections 201 and 302 of IPC were added. Proceedings under section 174 of Cr.P.C. as well as post-mortem examination of remains of the body were conducted. The petitioner was again interrogated on 28.04.2024 and suffered another disclosure statement to the effect that he had murdered the victim in connivance with the co-accused Manish @ Ankit. Offence under section 120B of IPC was added. Co-accused Manish was also arrested. He too suffered disclosure statement. Recovery of the vehicle of the victim along with its registration certificate was effected on 01.05.2025 at the instance of co-accused Manish. Other belongings of the deceased were also recovered. The investigation now stands completed, *Challan* has been filed and the petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of a disclosure statement allegedly suffered by him which cannot be considered to be admissible in evidence. False recoveries have been planted upon him. There is no direct evidence of murder of the victim by him. The case is based on circumstantial evidence and no circumstance pointing towards his guilt has been collected during the course of the investigation. Co-accused Manish has been extended benefit of bail. On parity, he too deserves to be given the same benefit. He is not a previous convict nor is he involved in any another case. Not even a single witness has been examined so far, though a period of more than one year and

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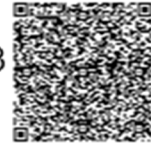


four months has passed. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed by the respondent-State. It is argued learned State counsel that there are serious and specific allegations against the petitioner, who had taken the victim along with him, made him consume liquor as well as some intoxicating substances with an intention to rob him of his vehicle, had committed his murder, and with an intent to cause disappearance of evidence of offence of murder had thrown his dead body in the bushes in the area of SYL Canal, Ismailpur. There are serious allegations against him. The call details record of the phone of the petitioner as well as the deceased has been collected, which shows that the location of cellphones of both of them on 18.04.2024 was the same. The phone of the victim was found to be switched off around 3:05 PM at Ghel Road, Ambala and thereafter the location of phone of the petitioner had started from the same place and was also shown at the same place at the SYL Canal from where the remains of dead body of the victim were recovered. On 20.04.2024, the location of phone of the petitioner and co-accused Manish was also found to be of the same place and he was apprehended on the basis of the said locations. The trial has commenced. Only because of the fact that a period of more than one year has expired since the commencement of the trial, the petitioner does not deserve to be extended benefit of bail in a case of murder like the present one. The trial can be expedited. It is, therefore, urged that the petition does not deserve to be allowed.

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

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6. The well settled proposition of law is that the Court, while considering a petition for grant of bail, has to keep certain factors in mind, such as, whether there is a *prima facie* case or reasonable ground to believe that the accused has committed the offence; circumstances which are peculiar to the accusation; likelihood of the offence being repeated; the nature and gravity of the acquisition; severity of the punishment in the event of conviction; the danger of accused absconding or fleeing if released on bail; reasonable apprehension of the witnesses being threatened, etc. In the instant case, the allegations against the petitioner are that he as well as the victim used to consume drugs. They were friends. In the morning of 18.04.2024, they met each other and had consumed heroin/*chitta*. The petitioner, with an intent to rob the victim of his car, had planned his murder and had made him consume excessive quantity of heroin/*chitta* and after taking him near Ghel Road, Ambala had strangulated him to death with a wire when he was highly intoxicated. Then, with intention to cause disappearance of evidence of his death, he had thrown his dead body in the bushes of the bank of SYL Canal towards Ismailpur. He had switched off the mobile phone of the victim and had taken his car as well as cellphone and thereafter, he had given his car to co-accused Manish @ Ankit. The remains of the dead body of the victim as well as his clothing were recovered at the instance of the accused in pursuance of his disclosure statement. The scientific evidence in the form of call details record that has been collected the by the SIT during the course of investigation, has showed the location of phones of the victim as well as the petitioner at the same place. Not even this, the location of phone of the petitioner was also shown at the same place on 18.04.2024, from where the

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remains of bones and clothing, etc. of the deceased were recovered. The allegations against the petitioner are quite serious in nature. Merely because of the fact that there is prolonged incarceration, he cannot be extended benefit of bail. It is well settled that the prolonged incarceration, by itself, cannot be treated as a ground to enlarge an accused on bail in cases involving heinous offences such as murder. The gravity of the charge and its bearing on the society at large must prevail over the mere passage of time in custody. Keeping in view the gravity of the allegations as level against the petitioner, severity of the punishment and the attendant facts and circumstances, I am of the considered opinion that the petitioner does not deserve extended benefit of bail. Accordingly, the petition is dismissed.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

08.09.2025

Wassem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No