

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

221

CRM-M No.42694 of 2025 (O&M)

Date of Decision:23.09.2025

Lal Mohan Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

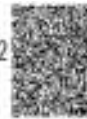
Present: Mr.Sahil Vashishat, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (Oral):

1. For the commission of offence punishable under Section 302 of Indian Penal Code, 1860, an FIR has been lodged in Police Station Dehlon, District Ludhiana. The petitioner has been arrested in the above mentioned case as an accused. Since the petitioner is in custody, he has filed the present petition for the benefit of bail.

2. In nutshell, the facts emerging from the record are that the FIR of this case came into being on the statement of complainant Suresh Kumar son of Hukam Chand, who stated that his relative Rajiv Singla had constructed a courtyard wherein Ram Shakal Chaudhary and Lal Mohan Singh were residing as a tenant in a shared room but they used to quarrel with each other. According to complainant on 11.08.2022 at 6.10 P.M. when he was going from his office to courtyard he found that the above mentioned duo was involved in heated arguments with each other. As per complainant, all of a sudden, Lal



Mohan Singh entered the room, picked up a wooden roller and with an intention to kill Brij Bihari, hit him on his head several times. As per complainant the blood started oozing out of the head of Brij Bihari and before he could have been taken to the hospital he died on the spot itself.

3. It is the case of the prosecution that the above mentioned offence was committed by the petitioner-accused Lal Mohan Singh and he managed to slip away from the spot.

4. Notice of motion.

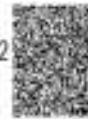
5. Since advance notice has already been served, Mr. Rohit Bansal, Sr. DAG Punjab, appears on behalf of respondent-State, and waives service.

6. Learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. However, no formal reply has been filed by the State and learned State counsel has opted to oppose the present petition orally.

7. Heard.

8. It has been contended by learned counsel for the petitioner that the petitioner is in custody for a period of more than 3 years and 1 month, and that the trial is not likely to be concluded in near future. According to learned counsel for the petitioner, the petitioner has no criminal antecedents. It has also been argued by learned counsel for the petitioner that nothing is left to be recovered from the possession of the petitioner and that release of the petitioner on bail is not likely to cause any prejudice to the prosecution case.

9. Per contra, the learned State counsel has argued that there are very direct, specific and categorical allegations against the petitioner with regard to



his involvement in the commission of offence. According to learned State counsel the gravity of offence is so grievous that the petitioner is not entitled for the benefit of bail.

10. The record has been perused carefully.

11. A careful perusal of record shows that in the present case there are several relevant factors which are required to be taken into consideration before arriving at any decision with regard to instant bail petition:-

- i) that the petitioner has already suffered sufficient incarceration for being in custody for a period of more than 3 years, 1 month and 9 days;
- ii) that nothing is left to be recovered from the possession of the petitioner;
- iii) that the trial is not likely to be concluded in near future;
- iv) that as per custody certificate, the petitioner has no criminal history;
- v) that detention of the petitioner behind the bar is not likely to serve any purpose;
- vi) that there is nothing on record to show that if released on bail, the petitioner is not likely to tamper with the evidence.

12. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the petitioner is entitled for the concession of bail and the present petition deserves to be allowed.

13. The same is hereby allowed accordingly and the petitioner is



admitted to bail subject to his furnishing bail bonds to the satisfaction of the learned trial Court.

14. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(SURYA PARTAP SINGH)
JUDGE

23.09.2025
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No