



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-43987-2025 (O&M)
Date of decision: 28.10.2025

Sukhvir Singh alias Sukhu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. P.B.S. Goraya, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

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.102 dated 29.07.2023, registered under Sections 302 and 34 IPC at Police Station Sirhind, District Fatehgarh Sahib.
2. Learned counsel contends that the petitioner has been in custody for 2 years and about 3 months. As per the allegations made by the complainant, who is the 3rd wife of the deceased, there are a number of blows given by co-accused Gurjeet Singh, who was her nephew, however, as per the PMR, there are two injuries, which as a matter of fact was only one over the neck, that has been found to be fatal one, which shows that she did not actually witnessed the occurrence. Her involvement was also suspected by the police as is apparent from her cross-examination, Annexure P-3, wherein she also stated that no cash was lying in their house at the time of incident, though the motive as alleged was to grab the money of the deceased. Another witness namely Gurmukh Singh, who had identified the body, has turned hostile and no other material witness remains to be examined. Charges have been framed on 24.01.2024, however, out



of 22 prosecution witnesses, only 3 have been examined while 1 given up. The petitioner is not involved in any other case.

3. The custody certificate dated 25.10.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 2 years, 2 months and 21 days.

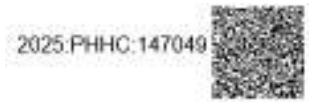
4. Learned State counsel opposes the bail on the ground that there are specific allegations levelled against the petitioner by the complainant in the FIR of having caught hold of the deceased while co-accused had given knife blows, which were fatal in nature. However, he is unable to controvert the submissions with regard to stage of the case 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 2 years, 2 months and 21 days; not involved in any other case; charges have been framed on 24.01.2024, however, 18 prosecution witnesses still remain to be examined, 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

28.10.2025
M.Kamra

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