



CRM-M-45957 of 2025

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

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CRM-M-45957 of 2025
Date of Decision: 30.10.2025

Manpreet Singh @ Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.183 dated 16.09.2023 registered under Sections 302 and 120-B of the IPC, at Police Station Canal Colony, District Bathinda.
2. Brief facts of the present case as per the prosecution are that the petitioner in connivance with other accused murdered Akash (son of the complainant), due to some altercation between them.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argued that the complainant has not supported the case of the prosecution. To lend force to his contention, he has drawn the attention of this Court to the statement of the complainant-Sohan Lal (Annexure P-2), alleged witness Tamana

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(Annexure P-3), made before the trial Court wherein none of them have supported the case of the prosecution and have not identified the petitioner to be the person who caused injuries to the deceased-Aakash. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 19.11.2024. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 22 prosecution witnesses and out of them, only 02 have been examined in-chief so far and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature and he has actively participated in the crime. He argued that the petitioner was part of the unlawful assembly which led fatal assault upon the son of the complainant and he gave multiple blows to the deceased apart from kick and fist blows and hence, there are specific allegations against him for committing the murder of Aakash. However, he has not controverted the fact that the complainant has turned hostile and that the petitioner is first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it transpires that the complainant and other witness Tamana have not supported the prosecution case and have not identified the petitioner before the trial Court. The petitioner is in custody



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for the last more than 11 months; investigation is complete; challan stands presented; charges framed, and the trial is proceeding at snail's pace and may take a long time to conclude, no useful purpose would be served by detaining him in further custody especially in the facts and circumstances of the present case. The further detention of the petitioner without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

30.10.2025
D.Bansal

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