



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

CRM-M-58895-2024

Reserved on: 28th April, 2025

Pronounced on: 30th April, 2025

Mangi Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sunil Kumar Rana, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 027 dated 10.03.2024 registered under Section 302 of IPC at Police Station Bahaw Wala, District Fazilka.

2. As per the allegations, on the intervening night of 9/10.03.2024, the victim Har Chand Ram had slept in a room of his house. The complainant Amandeep, who is son of the victim had left home at about 12:00 AM, on that very night to irrigate the fields of Sukhchain Singh. At about 2-2:15 AM, on hearing noises, his grandmother rushed towards the room of the victim and found him lying in an unconscious and injured state. She shouted for help, on hearing which, Satpal cousin of the complainant had reached there. The victim had succumbed to the head injuries sustained by him by that time. Information was given to the police in the morning.



Post-mortem examination of the dead body was conducted. After registration of FIR, investigation proceedings were initiated. On 13.03.2024, the complainant recorded his supplementary statement on the basis of which, the petitioner was nominated as an accused. Offence under Section 450 of IPC was added. The petitioner was arrested on 13.03.2024. He was interrogated and suffered disclosure statement admitting his involvement in the murder of the victim. He also got recovered the weapon of offence. Presently, he is facing trial for commission of offence of murder of the victim.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He had no enmity with the victim. He is in custody since long. A false recovery is planted upon him. Trial will take considerable time to conclude. There is no direct incriminating evidence against him. His further incarceration is not required. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab, that there are serious allegations against the petitioner. Two days after the death of victim, the witness Satpal Singh had heard the petitioner while proclaiming that he had murdered the victim. The petitioner had motive to kill the victim as daughter of the victim had been taken away by the petitioner and it was later on that she was brought back to her house and due to that reason, the petitioner was nursing a grudge against the victim. It is argued that the complainant and PW-3 Satpal Singh have made specific deposition against the petitioner. The allegations against him are serious in nature. The weapon used in the murder



of the victim has been recovered at his instance. There is nothing on record to show that there would be any inordinate delay in conclusion of the trial. Long incarceration of the petitioner is not a ground to grant bail to him. Accordingly, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to have entered inside the house of the victim on the intervening night of 9/10.03.2024 and is further alleged to have assaulted him with a sharp edge weapon thereby causing his death at the spot. He had motive to eliminate the victim. The allegations against him are serious in nature. PW-3 Satpal Singh has made specific deposition that the petitioner was heard saying that he had murdered the victim and he had been finding opportunity to kill him. Gravity of the allegations is an important factor for grant/denial of concession of bail. It is well settled law that mere long period of incarceration in jail would not be *per se* a ground for grant of bail, if the offence is serious in nature. In view the discussion as made above but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

30th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No