

CRM-M-798-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-798-2025
Reserved on: 15.02.2025
Pronounced on: 28.02.2025

Kulveer Singh ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-3749-2025

Manpreet Singh alias Bhalla alias Manpreet Singh Brar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amaninder Singh Sekhon, Advocate and
Mr. Himanshu Rajput, Advocate
for the petitioner(s) in CRM-M-798-2025.

Mr. J.S. Brar, Advocate
for the petitioner(s) in CRM-M-3749-2025.

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
127	22.08.2024	Sadar Faridkot, District Faridkot	105 of BNS 2023 (Later on charges were framed u/s 105 & 3(5) of BNS)

1. This order shall dispose of two petitions as mentioned above. For the sake of brevity, facts have been taken from *CRM-M-798-2025 titled as Kulveer Singh vs. State of Punjab.*
2. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
3. In paragraph 14 of the bail petition, the accused-Kulveer Singh has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
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1	129	2023	21B/29/61/85 of NDPS Act	Sadar Faridkot
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However, petitioner Manpreet Singh has no criminal history.

4. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the instant FIR has been registered at the instance of Jasveer Kaur w/o Sahib Singh r/o Dallewal, who suffered her inter alia statement that "on 21.08.2024 son Pritpal Singh of complainant Jasveer Kaur had gone on his duty. After completing duty Pritpal Singh had come home. Complainant had closed the main gate of her house. Complainant and Pritpal Singh were present at their home. Manpreet Singh @ Bhalla and Kulveer Singh-Petitioner knocked the main door. Complainant and Pritpal Singh opened the door. Both are entered in her house. The Lights in the yard of the house were on. Complainant had earlier known to Manpreet Singh Bhalla son of Sukhmander Singh resident of Dallewala and Kulveer Singh (Petitioner). Pritpal Singh asked both of them in front of complainant that how did they come to work, then the said Kulveer Singh took out a syringe filled with liquid medicine and a needle from his pocket and handed it to the Manpreet Singh @ Bhalla and also Manpreet Singh Bhalla handed over this syringe filled with liquid medicine alongwith needle to his son Pritpal Singh.

Pritpal Singh took the syringe and went to bathroom to take bath. When he did not come out then his mother (complainant) peeped in bathroom from window and found his son lying with face down in a tub full of water. On raising alarm, the relatives of complainant residing in neighbour rushed to the spot. They recovered a syringe was injected in the right arm below the elbow. They took the Pritpal Singh to Guru Gobind Singh Medical College, where he was declared dead.

That acting upon the information, the offence u/s 105 BNS was registered against i) Manpreet Singh ii) Kulveer Singh-Petitioner above named.”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. The State’s counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“That the present petitioner along with co-accused Manpreet Singh alias Bhalla had visited the deceased Pritpal Singh on 21-08-2024 both the

accused were already acquainted with the complainant. The present petitioner took out a syringe full of liquid along with needle and handed over to his accomplice Manpreet Singh. The co-accused Manpreet Singh had further delivered to the same to deceased Pritpal Singh in the presence of petitioner and complainant. When complainant asked about the liquid in syringe, both the accused had replied that the same was a medicine for Pritpal Singh and left the place. Pritpal Singh had administered the syringe and died instantly.”

REASONING:

8. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.

9. Per paragraph 8 of the bail petition, the petitioner has been in custody since 24.08.2024 and accordingly, custody in this FIR is approximately 06 months. Similarly petitioner-Manpreet Singh alias Bhalla alias Manpreet Singh Brar is in custody from last 05 months 02 days, as per custody certificate dated 26.01.2025.

10. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any

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witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State shall file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.**

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. **Petition(s) allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.02.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.