



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

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**CRM-M No.64833 of 2025
Date of decision : 21.11.2025
Date of uploading 21.11.2025**

Amrik Singh**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present: Mr. Pushp Jain, Advocate, for the petitioner****Mr. Jaypreet Singh, DAG, Punjab**

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.147 dated 15.9.2022 under Sections 302 and 34 of the IPC (Section 201 IPC added later on), registered at Police Station Sadar Nakodar, District Jalandhar Rural.
2. The gravamen of the allegations against the petitioner is that complainant, namely, Nachhatar Singh, alleged that on 06.09.2022, at about 11:00 a.m., his son, namely, Manpreet informed his cousin on the phone that he would be coming home that day, but he did not reach home. The complainant searched for him on his own for the next three days. On 09.09.2022, he lodged a complaint regarding the missing of his son. On



15.09.2022, he received a call from the police informing him that a dead body had been found in the bushes near Village Kang Sahbu and that he should come to identify it. He informed his nephew, namely, Kulwinder Singh and his son-in-law-Dilbag Singh, who joined him shortly thereafter. Together they went near Village Kang Sahbu, where he identified the dead body as that of his son Manpreet Singh. The complainant further stated that while Manpreet was working at the hospital in Moga, he developed love relations with one Ramandeep Kaur, daughter of Resham Singh. However, Mukesh Yadav (petitioner herein), with whom Ramandeep Kaur earlier had relations, along with Amrik Singh (her cousin) and Ajit Singh (her paternal uncle/Phuphar), had attempted to attack Manpreet on several occasions. Due to fear, Manpreet left his job at Moga and began working at Patel Hospital, Jalandhar. About fifteen days before the incident, Manpreet informed his brother-in-law-Dilbag Singh that Ramandeep Kaur continued to talk to her previous lover Mukesh Yadav (petitioner herein) in his presence, and when he objected, she threatened that he would be killed by Mukesh Yadav (petitioner herein), her cousin Amrik Singh, and her uncle Ajit Singh. The complainant further alleged that these persons had also chased Manpreet in Jalandhar, which his son-in-law was aware of. On 05.09.2022, the said persons, along with Ramandeep Kaur, allegedly attempted to attack Manpreet again, but he managed to escape by running away. The complainant stated that he has a strong belief that Ramandeep Kaur, Mukesh Yadav (petitioner herein), Amrik Singh, and Ajit Singh have committed the



murder of his son.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 19.9.2022. Learned counsel has further argued that the petitioner has been falsely implicated in the FIR in question. Learned counsel has further argued that the case in hand is not one of eye-witnesses account. Learned counsel has further submitted that all private prosecution witnesses, except Kulwinder Singh, who had only identified the dead body, have been examined. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 20.11.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 19.9.2022 wherein after investigation was carried out and challan stands presented on 14.12.2022. Total 29 prosecution witnesses have been cited, out of which only 13 have been examined and 01 has been given up till date. It is not in dispute before this Court that all private prosecution witnesses, except Kulwinder Singh, who had only identified the dead body, have been examined. The concession of interim regular bail granted to the petitioner by this Court is not stated to be misused by him. At this stage, it would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in



Criminal Appeal No.2787 of 2024 titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

“19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”

6.1 The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.2 As per custody certificate dated 20.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 years, 1 month and 25 days & is not shown to be involved in any other case.



Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.



10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

21.11.2025
Ashwani

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