

2026:PHHC:038001



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2148 of 2025

Simranjeet @ Simranjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	10.03.2026
2.	The date when the judgment is pronounced	12.03.2026
3.	The date when the judgment is uploaded on the website	12.03.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nitish Sharma, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
148	26.10.2023	Kotwali Nabha, District Patiala	302, 201 and 120-B of IPC and 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Bhupinder Singh alleging therein that his son Gurjinder Singh @ Gary had become addicted to drugs in the past. He was kept at Drug Addiction Center at Village Mandha Ala for sometime and had now left consuming the same. From the past 5-6 months, he was working as a private driver for one Maninder Pal Singh. About a week back, the abovesaid Maninder Pal Singh was to travel to Kashmir with his wife and took Gurjinder Singh along with him. However, on 18.10.2023, the complainant came to know that the dead body of his son was lying near Mehas Canal. He rushed to the spot and identified the same. On inquiry from Maninder Pal Singh, he came to know that his son had come back on the evening of 15.10.2023 and was given a sum of Rs.3,000/- by him (Maninder Pal Singh). The complainant alleged that postmortem examination of the dead body of his son had been conducted and several injuries were found on the person of the same. He further disclosed that he had made inquiry at his own level and had come to know that the present petitioner who became a friend of his son at Drug De-addiction Center had called him on 15.10.2023 and it was he who along with his accomplice

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Karan Kumar has murdered his son.

3. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused Karan Kumar were arrested on 27.10.2023. They suffered disclosure statements admitting their involvement in the homicidal death of the victim by saying that they had given over dose of contraband heroin to the victim on 15.10.2023 in order to grab his motorbike, cell phone, smart watch and cash and had killed him. The accused Karan Kumar got recovered the wallet of the victim. The call detail record and tower location of the cell phones of the accused and the deceased were also procured which revealed that they were at the same place at the time of occurrence. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on false and fake allegations. His implication is also based on conjectures without any basis. The complainant had firstly recorded that his son had died due to overdose of intoxicant and it was eight days thereafter that he had recorded his supplementary statement which was result of concoctions and deliberations. He has been implicated in this case only because the victim had telephonically contacted him on 15.10.2023. The victim himself was addicted to drugs and there was no question of intoxicating him by the present petitioner rather relations between the victim and himself were cordial and warm. There is no eye witness to the factum of his killing the victim. He is in custody since long.

The trial will take considerable time to conclude as only 01 out of 25

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witnesses have been examined so far. His antecedents are clean. No purpose would be served by detaining him in custody any more. It is, therefore, stressed that he deserves to be released on bail. To fortify his argument, learned counsel for the petitioner has placed reliance upon judgments cited as **Sukhdeep Singh alias Sukh v. State of Punjab**, 2024 NCPHHC 111247 and **Ajay Masih v. State of Punjab**, Law Finder Doc Id # 2091481.

5. Per contra, learned Assistant Advocate General, Punjab has argued that the allegations against the petitioner are serious in nature. The circumstances point out towards his complicity in the commission of the subject offence. The victim had sustained injuries on his person which are suggestive of his being assaulted before his death. The prolonged incarceration of the petitioner cannot be considered to be the sole reason of allowing bail to him. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have called the victim to him on 15.10.2023 and along with the co-accused is alleged to have not only ingested some narcotic substance to the victim but is further alleged to have inflicted injuries on his person after making him under the influence of some intoxicant and to ensure his death with an intent to rob him of his belongings. The call detail records of the mobile phone of the petitioner and victim as well as the location of their phones is stated to be the same during the relevant period which prima facie suggest his complicity in the crime.

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The allegations against the petitioner are serious in nature. Though he is in custody for a period of more than two years, however, only because of his prolonged incarceration, he cannot be extended benefit of bail. The well settled proposition of law is that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. Taking into consideration the nature of the allegations levelled against the petitioner, this Court is of the considered opinion that merely on account of his extended custody, the petitioner does not deserve to be given benefit of regular bail. Accordingly, the petition is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

12.03.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No