

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:048827



CRM-M-6496-2026 (O&M)

Sandeep Singh @ Sandeep Kumar @ Deep @ Deep Singh ... Petitioner

Vs.

State of Punjab ... Respondent

1.	The date when the judgment is reserved	27.03.2026
2.	The date when the judgment is pronounced	30.03.2026
3.	The date when the judgment is uploaded on the website	30.03.2026
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. Jasdeep Singh Walia, Advocate and
Mr. Akamjit Singh Ahluwalia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Senior DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case arising out of FIR No.05, dated 07.01.2023, registered

under Sections 302 and 34 of IPC (offence under Section 201 IPC was added lateron), at Police Station City 2 Mansa, District Mansa.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Gurcharan Singh, alleging that his sister Karamjit Kaur @ Babbu was married with Harpal Singh @ Lovely, who was addicted to consume liquor and used to quarrel with Karamjit Kaur @ Babbu under the influence thereof. On the night of 06.01.2023, the sister of the complainant made a call to him and at that time also, Harpal Singh @ Lovely was in a state of intoxication. The complainant heard voices of the petitioner, who is brother of Harpal Singh @ Lovely as well as of the latter and both of them were quarrelling with Karamjit Kaur @ Babbu. The phone of Karamjit Kaur @ Babbu got disconnected in the meanwhile. He tried to call her but could not contact her. In the next morning, he made a call to Bachittar Singh, who was instrumental in marriage of his sister with the brother-in-law of the petitioner, who informed that his sister had been killed. He rushed to her matrimonial house and on making inquiries was sure that accused Harpal Singh @ Lovely in connivance with the petitioner had killed his sister by strangulating her.

3. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, complainant presented his mobile phone to the Investigating Officer to show the conversation that had taken place between his sister and himself on the night of 06.01.2023. The voice record of that conversation had been saved and it was found that several calls were exchanged between them on the fateful night. The said recording had been sent for forensic examination after taking voice samples

of the petitioner and co-accused. The petitioner and co-accused surrendered on 09.01.2023. They suffered disclosure statements admitting their involvement in the crime. It was revealed that the petitioner had caught hold of arms of the victim and accused Harpal Singh had strangled her on the fateful night. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the allegations that he had caught hold of the victim when she was strangled by the co-accused. No marks of strangulation were found on the dead body of the victim. He is in custody since 09.01.2023. There are no chances of conclusion of the trial in near future as only 01 out of 27 prosecution witnesses has been examined so far. The voice sample report has not been received so far. There was no eye witness to the occurrence. The case rests upon the circumstantial evidence and there is no direct incriminating evidence to connect him with the crime. The disclosure statement of co-accused cannot be considered to be admissible against him. No recovery has been effected from him. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel while relying upon the status report, has argued that the allegations against the petitioner are serious in nature. The petitioner himself had surrendered. His complicity in the crime stands fully established from the allegations in the FIR. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner in connivance with the co-accused is alleged to have caused homicidal death of the victim, who was his sister-in-law. As per the allegations, he had caught hold of the victim when co-accused Harpal Singh, had strangled her. The allegations against the petitioner are serious in nature. Though, his name was disclosed by co-accused also, but the same was at very much mentioned by the complainant at the time of lodging of the FIR by stating that at the time when his sister had called, the complainant had heard the voices of the petitioner as well. The disclosure statement of the petitioner and co-accused, though subject to evidentiary scrutiny at trial, cannot be brushed aside at this stage, when it forms part of chain of circumstances pointing towards the involvement of the petitioner. The role attributed to the petitioner suggests facilitation of the crime. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the seriousness of the accusation of murder under Section 302 of IPC. There exists a genuine apprehension that his release may imperil the course of trial and undermine the integrity of the trial and could pose a risk by influencing unexamined witnesses or tampering with evidence. It is well-settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the complainant is also to be weighed. Frivolity of prosecution

should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail. It is also well settled proposition of law 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)***. In light of the foregoing legal principles, this Court finds no compelling ground to grant bail to the petitioner. Accordingly, the petition is dismissed.

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

9. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

30.03.2026

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE