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

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CRM-M-6763-2026 (O&M)
Date of decision: 09.04.2026

Sukhjit Singh @ Jeet**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 128 dated 30.05.2025, registered under Section 105 of BNS, 2023 at Police Station Samrala, District Khanna.

2. The aforementioned FIR was registered on the basis of the statement recorded by complainant Bharpur Singh alleging therein that in the morning of 29.05.2025, his nephew Palwinder Singh had left his house without informing them and did not return home. They had made search for him and then, they came to know that he had died and his dead body was kept in the mortuary of Civil Hospital, Samrala. On making enquiry, it was revealed that it was the petitioner, who had admitted the victim Palwinder Singh to Karan Hospital, Samrala but he had already died. He disclosed that the death of victim Palwinder Singh had occurred due to consumption of

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some poisonous/intoxicating substance. The complainant further alleged that he had contacted the petitioner, who was in a state of intoxication and had disclosed to him that the victim had come to him in the afternoon of 29.05.2025. He himself had woken up on 30.05.2025 and had found him sleeping. He had taken him to hospital but he was declared to be brought dead. The petitioner also disclosed that out of fear, he had come back from the hospital. By alleging that the petitioner was responsible for the death of the victim, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 30.05.2025. Post-mortem examination of the dead body of the victim was conducted. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on totally frivolous allegations. There is no eye-witness to the factum of death of the victim. The allegations that the petitioner had given some injection to him containing narcotic substance has no basis as there is no direct evidence to show so. The case is based on circumstantial evidence. There is delay of one day in lodging of FIR, which has not been explained. The post-mortem examination report does not show that the victim had died due to consumption of any narcotic substance. Investigation has since been completed and challan has been filed. Conclusion of trial would take considerable time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. Learned

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State counsel has argued that there are serious allegations against the petitioner. The victim was lastly seen alive in the company of the petitioner at his house. It was the petitioner, who had administered some poisonous/intoxicating substance to the victim, which resulted into his untimely death. It was he, who had taken the victim to hospital. This fact prima facie suggest his complicity in the crime. At the time of his apprehension, he was in inebriated condition. The petitioner is a habitual offender, being involved in several other cases. There are chances of his absconding or intimidating the witnesses, if released on bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. As per the allegations, the victim was lastly seen alive in the company of the petitioner and it was the petitioner, who had taken the victim to the hospital, though he had already died by that time. The allegations against him are that he had injected some poisonous/intoxicating substance to the victim, which caused his death. The viscera report is still awaited. The post-mortem examination does not show that the victim had sustained any injury on his person. It is only after thorough assessment of the evidence to be produced during trial that any definite conclusion as to the involvement of the petitioner in commission of subject offences can be drawn. The trial would obviously take considerable time to conclude as no prosecution witness has been examined so far. It is well settled proposition of law that the pre-trial incarceration should not be a replica of post-conviction sentencing and the sentence during trial should not be punitive. Keeping in view the aforesaid facts and circumstances, this Court is of the considered

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opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

09.04.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>