



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.7946 of 2025 (O&M)

Reserved on: 19.02.2026

Pronounced on: 25.02.2026

Balkaur Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. P.P.S.Brar Advocate,
Mr. Harbir S. Sandhu, Advocate;
Mr. Vishal Tartyal, Advocate for the petitioner.

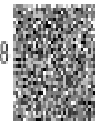
Mr. Eklavya Darshi, DAG, Punjab.

Mr. Gurinder Singh Brar, Advocate for the complainant.

SURYA PARTAP SINGH, J. (Oral):

This is 4th petition for bail, moved by the petitioner under Section 483 of the 'Bharatiya Nagarik Suraksha Sanhita 2023'. This petition has been filed with regard to a case arising out of FIR No.21 dated 31.01.2020, under Sections 302, 295, 149 [Sections 297, 201 and 34 IPC added and Sections 149 and Sections 295 IPC deleted, later on] of Indian Penal Code and Sections 25, 27 and 30 of Arms Act, Police Station Kotbhai, District Sri Muktsar Sahib.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Parminder Singh', who had stated before the police that on 31.01.2020 he along with his uncle 'Sukhchain Singh' and 'Baljinder Singh' was levelling earth in an under construction house nearby dhani of his uncle 'Rajveer Singh'. As per complainant his father



‘Jaswinder Singh’ and mother ‘Sukhpal Kaur’ were going towards the above mentioned spot on a motorcycle and on the way in front of the house of ‘Rajveer Singh’ they were waylaid by ‘Rajveer Singh’ who was armed with revolver, and by ‘Dalour Singh’ armed with 12 bore gun, ‘Chamkaur Singh’ and ‘Balkaur Singh’ and his wife ‘Ranjit Kaur’. It was further stated by the complainant that ‘Rajveer Singh’ fired a gun shot hitting the head of ‘Jaswinder Singh’. As per complainant when he fell down ‘Sukhpal Kaur’ tried to run away, but ‘Chamkaur Singh’ picked up the revolver from ‘Rajveer Singh’ and fired a gun shot on the back of ‘Sukhpal Kaur’, who also fell down in the fields. Thereafter, ‘Balkaur Singh’ (petitioner herein) took revolver from ‘Chamkaur Singh’ and fired gun shot on the chest and head of ‘Sukhpal Kaur’ and thereafter ‘Dalour Singh’ fired gun shot in the air. It was also stated by the complainant that on account of above mentioned injuries his parents ‘Jaswinder Singh’ and ‘Sukhpal Kaur’ died on the spot itself.

3. It is the case of the prosecution that on the basis of above mentioned complaint formal FIR of this case was lodged and the investigation taken up.

4. Heard.

5. It has been contended on behalf of petitioner that petitioner is innocent, who has been falsely implicated in the present case by creating a false story. As per learned counsel for the petitioner this statement of complainant does not appeal to a prudent mind that a person who was armed with revolver, i.e. ‘Rajveer Singh’, will fire only one gun shot, and thereafter, the same revolver would be used by another co-accused ‘Chakaur Singh’ who,



too, fired only one gun shot and thereafter the same revolver used by the petitioner. According to learned counsel for the petitioner the above mentioned story is improbable and unnatural.

6. In addition to above, the learned counsel for the petitioner has also contended that in the present case the petitioner has already suffered a prolonged incarceration for being in custody for a period of more than 6 years and 11 months, and that the trial is not progressing at a required pace and that the same is not likely to be concluded in near future. While claiming that valuable rights of speedy trial, guaranteed to the petitioner by the Constitution of India are being violated, the learned counsel for the petitioner has claimed the benefit of bail for the petitioner, by invoking the fundamental right of personal liberty of the petitioner. The learned counsel for the petitioner has also contended that the petitioner at the time of commission of crime was having clean antecedents and that the trial is not not likely to be concluded in near future.

7. Per contra, the learned State counsel has contended that allegations in the present case are with regard to a double murder, and that to support the claim of the prosecution there is a credible eye-witness account comprising of more than one eye-witness, who were naturally present on the spot at the time of occurrence. It has also been contented by learned counsel for the petitioner that from the date of dismissal of third bail petition, which was virtually decided on merits, no change in circumstances has taken place. As per learned State counsel, the present petition which is 4th petition is not maintainable.



8. While controverting the claim of petitioner with regard to delay in trial it has been contended by learned State counsel that the delay in trial is due to proceedings under Section 319 Cr.P.C., as during the course of investigation two accused namely Chamkaur Singh and Dalour Singh have been exonerated. While claiming that petitioner has direct nexus with the commission of crime, the learned State counsel has contended that the role played by the petitioner and the grievous nature of offence committed by the petitioner does not warrant the benefit of bail for him.

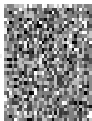
9. The record has been perused carefully.

10. A perusal of record shows that in the present case the third petition for bail moved by the petitioner was dismissed with following observations:-

“After arguing for some time, when this Court was not inclined to accept the prayer, learned counsel, on instructions from the petitioner, wishes to withdraw the present petition with liberty to take recourse to the remedy before the authority concerned.”

11. In the present case it is pertinent to mention here that initially 5 accused were implicated by the complainant but during the course of investigation two accused namely ‘Chamkaur Singh’ and ‘Dalour Singh’ were exonerated, and therefore, the trial proceeded against other three accused only. During the course of trial an application under Section 319 Cr.P.C. was moved which has been decided by the learned trial Court, but the revision petitions against the above mentioned order are pending before this Court.

12. In view of above mentioned factual matrix it is apparent that for



delay in trial no blame can be attributed to the prosecution.

13. In the present case, if the facts and circumstances are analysed it transpires that:-

- i) that third application for bail moved by the petitioner was virtually dismissed on merits as the same was withdrawn at a time when it was observed by the learned counsel for the petitioner that the Court was not inclined to accord the benefit of bail to the petitioner;
- ii) that there is nothing on record to show that any significant change in circumstances has taken from the date of dismissal of third petition;
- iii) that with regard to involvement of petitioner in the commission of crime there are very specific allegations right from the very memo, when the matter was reported to the police.

14. In view of above, it is hereby held that being devoid of merits, the present petition deserves dismissal. Hence, the same is hereby **dismissed**, accordingly.

15. However, keeping in view the fact that the petitioner is in custody for a pretty long time, the learned trial Court is directed to decide the trial within six months from the date of receipt of copy of this order.

(SURYA PARTAP SINGH)
JUDGE

Pronounced on:25.02.2026
Manoj Bhutani

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