



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

Sr. No.209

CRM-M-8993-2026
Date of Decision: 12.05.2026

ARSHDEEP SINGH ALIAS HONEY**...Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Ms. Vibha Dhiman, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of concession of regular bail to the petitioner in case FIR No. 82 dated 19.12.2022, registered under Section 302 IPC at Police Station Bakshiwalla, District Patiala.

2. Briefly stated, the present FIR was registered on the statement of Kulwant Singh, who alleged that his servant Arun Kumar was found lying dead in a pool of blood with injuries on his face and head. During investigation, co-villager Pardeep Singh made a statement before the police that he had seen accused Amrik Singh, Loverpeet Singh alias Labbu and Arshdeep Singh alias Honey near the place of occurrence and allegedly heard them talking about having done away with Arun Kumar. On the basis of the said statement, the accused persons were nominated in the present case.



3. The petitioner contends that the FIR was initially registered against unknown persons in a blind murder case after the deceased was found dead in the fields of the complainant on 19.12.2022. His implication arose subsequently on the basis of the statement of one Pardeep Singh, who alleged that he had overheard the petitioner and co-accused discussing the murder on the night of 18.12.2022. It is submitted that the only role attributed to the petitioner is that he allegedly assisted the co-accused by hitting the deceased with a piece of sugarcane. The petitioner further submits that he is physically handicapped, as the fingers of his right hand were chopped off in an accident, rendering him incapable of properly holding objects with that hand. It is also contended that only 10 out of 23 prosecution witnesses have been examined so far and the complainant has already been declared hostile. The petitioner's earlier bail application was dismissed by the learned Additional Sessions Judge, Patiala, on 09.09.2024.

4. Learned State counsel has opposed the present petition and submitted that the petitioner was specifically named by witness Pardeep Singh during investigation. It has been argued that the petitioner was present at the spot at the time of occurrence and was carrying pieces of sugarcane, which were allegedly used in causing injuries to the deceased Arun Kumar alias Raju. Learned State counsel has further submitted that complainant Kulwant Singh was also joined at the time of effecting recoveries from the accused persons and was present when the disclosure statement of the present petitioner was recorded. Pursuant to the said disclosure statement, the petitioner allegedly got recovered blood-stained pieces of sugarcane used in the commission of crime. It is further argued that the petitioner actively

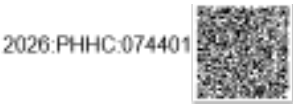


participated in the occurrence along with co-accused persons and, therefore, he is not entitled to the concession of regular bail.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Without commenting upon the merits of the case, this Court finds that admittedly the present case is a blind murder case and the prosecution case primarily rests upon circumstantial evidence. A significant aspect which weighs with this Court is that complainant Kulwant Singh, who was allegedly associated by the police at the time of recording disclosure statement of the petitioner and effecting recovery of pieces of sugarcane, has not supported the case of the prosecution and has been declared hostile. The said witness has categorically deposed before the learned trial Court that his signatures were obtained on blank papers and that no recovery was effected in his presence. Thus, at this stage, the very recovery sought to be relied upon by the prosecution becomes a matter to be tested during trial. It is also not disputed that the petitioner has remained in custody for the last about 3 years and 4 months. Out of total prosecution witnesses, 13 witnesses are still yet to be examined and, therefore, conclusion of trial is likely to take considerable time. Continued incarceration of the petitioner for an indefinite period would serve no useful purpose, particularly when the material witness has not supported the prosecution version before the Court.

7. Keeping in view the totality of the facts and circumstances of the case, the period of custody undergone by the petitioner, the stage of trial, and without expressing any opinion on the merits of the case, the present



petition is allowed. The petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, it is made clear that nothing stated hereinabove shall be construed as an expression on the merits of the case.

9. All the pending miscellaneous application(s), if any, stands disposed of.

12.05.2026

Anu

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(MANDEEP PANNU)

JUDGE