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

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CRM-M-11962-2025

Date of decision : 08.01.2026

SUKHBIR SINGH ALIAS SONI (SUKHVEER)

... Petitioner

Versus

STATE OF PUNJAB

.. Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. L.S. Bhullar, Advocate and
Mr. Munish Thakur, Advocate (Through VC)
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Subhas Mehla, J. (Oral)

1. This is the third petition which has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in case bearing FIR No.148 dated 10.07.2020 under Sections 302, 364, 201, 120-B, 323, 148, 149 IPC, registered at Police Station Maur, Bathinda.

2. Brief facts of the present case are that the complainant Balbir Kaur got recorded her statement that on the evening of 09.07.2020, her son Amrinder Singh @ Manja was kidnapped by Kharaji Singh, Sukhveer Singh alias Soni (the petitioner), Lakhvir Singh @ Mottu, Manga Singh accompanied by 4-5 unidentified persons and she is eye-witness to the incident. Although she along with one Jaswinder Singh alias Judge tried to resist the assailants, they forcibly



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put his son in the car and fled away from the spot. Next day i.e. on 10.07.2020 dead body of her son i.e. Amrinder Singh @ Manja was found. Hence, the present FIR was lodged and the motive stated for causing the injuries and murder of her son was that her son had a quarrel with Kharaji Singh and others.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case as the petitioner has no role in the present case and at the time of incident, the petitioner was not present on the spot. It is further contended that the complainant is an interested witness and is mother of the deceased namely Amrinder Singh @ Manja; the petitioner is in custody since 12.07.2020 and charges have been framed against the petitioner on 14.03.2022; the petitioner has completed more than 05 years as an undertrial and is behind bars since the date of his arrest; his co-accused namely Jaspal Singh has already been granted the concession of regular bail vide order dated 06.10.2021 passed in CRM-M-15178-2021; other co-accused namely Shivraj Singh @ Kharaji has also been granted the concession of regular bail vide order dated 17.12.2024 passed in CRM-M-63402-2023; co-accused namely Manga Singh has been granted the concession of regular bail vide order dated 03.12.2024 passed in CRM-M-44673/2023. As such, the petitioner prays for grant of concession of regular bail.

4. Mr. Sandeep Kumar, DAG, Punjab has put in appearance and by way of submitting custody certificate, opposed the grant of bail to the petitioner. He contended that during interrogation, co-accused namely, Shivraj Singh @ Kharaji Singh had presented weapon 'Baseball Bat' used by him in the occurrence and co-accused namely, Lakhveer Singh @ Motu and Sukhveer



Singh @ Soni (the present petitioner) presented weapons 'Iron Swords' used by them in the occurrence before investigating officer, which were taken into police possession and recorded the statements of witnesses. However, all of above said weapons were already washed by the above named accused persons with water and no blood was found to be stained over these. It is also contended that the complainant had produced mobile phone alongwith one CD, Pen drive containing recording of Sukhvir Singh @ Soni (the present petitioner) and Sukhpal Singh @ Chawani while having conversation with one Gurbachan Singh @ Baba for inflicting injuries upon Amrinder Singh @ Manja and audio transcript in Punjabi language, and voice of present petitioner-accused has been identified by the complainant.

5. Heard and paper book perused.

6. Keeping in view the facts and circumstances of the present case and contentions of learned counsel for the parties that the petitioner has specifically been named by the complainant who is the eye-witness; there is a specific evidence against the petitioner in the form of his voice recording while having conversation with one Gurbachan Singh @ Baba for inflicting injuries upon the deceased namely, Amrinder Singh @ Manja wherein voice of the petitioner has been identified by the complainant and although the present petitioner presented the 'Iron Sword' used by him in the occurrence before investigating officer, however the same had been washed before presenting the same.

7. In **"X v. State of Rajasthan & Another", 2024 INSC 909**, the Supreme Court held that bail should not be granted ordinarily in serious



offences like rape and murder once trial starts:

"Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused....Once the trial commences, it should be allowed to reach to its final conclusion which may either result in the conviction of the accused or acquittal of the accused."

8. Since the allegations levelled against the petitioner are serious in nature, hence, this Court finds no ground to grant the concession of regular bail to the petitioner. Therefore, the present petition stands dismissed.

9. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

10. Pending applications, if any, also stand disposed of.

(SUBHAS MEHLA)
JUDGE

January 08, 2026

Sonia Puri

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No