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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15789 of 2026

Amandeep Singh ... Petitioner
Versus
State of Punjab ... Respondent

1.	The date when the judgment is reserved	27.04.2026
2.	The date when the judgment is pronounced	30.04.2026
3.	The date when the judgment is uploaded on the website	30.04.2026
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. Sandeep Chopra, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
82	16.06.2023	Kotwali Nabha, District Patiala	302 and 34 f IPC

2. Brief facts relevant for the purpose of disposal of this

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petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Such Singh alleging therein that his wife Jaswinder Kaur was married with the petitioner on 28.01.2023. Shortly after the marriage, the petitioner started suspecting the character of his wife. He used to extend beatings to her. He also raised demand of a motorbike which could not be fulfilled by the complainant due to his poor financial condition. In the last month of May 2023, the petitioner left his daughter at her parental house. A panchayat meeting was convened and on 12.06.2023, the petitioner took his daughter with him. However, on the very next day, she called him and informed that the petitioner and his brother Gupreet Singh had been torturing her by saying that she had illicit relationship and they would punish her for that. The cell phones of the petitioner and the daughter of the complainant were subsequently found to be switched off. On 15.06.2023, he had gone to the matrimonial house of his daughter to know about her well being and found her dead body to be lying in a room of her house. Blood had coagulated at her nose and injury was found on her right eye. By alleging that the petitioner in connivance with his brother had killed his daughter, he prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. Postmortem examination of dead body of the victim was conducted. The cause of death was opined to be asphyxia due to compression of the trachea and hyoid bone caused by strangulation. During the course of investigation, statements of witnesses Sanjeev Kumar @ Golu

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and his companion Naginder Singh were recorded who disclosed that the petitioner and his brother had met them and had disclosed that they had murdered the victim. The said Sanjeev Kumar also produced the petitioner and his brother before the police. They were arrested. The petitioner suffered disclosure statement admitting his involvement in the crime and got recovered his shirt with blood stains of the victim. Some broken hair were found on the right fist of the victim which were taken into custody. The hair samples of the petitioner and co-accused were collected along with blood samples and were sent for DNA profiling. As per the DNA profiling generated from the shirt of the petitioner and from the hair recovered from the right hand of the deceased, the same is consistent with the DNA profiling of the petitioner. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eye-witness to the occurrence and a false story has been concocted. The case is based on circumstantial evidence and there is no such evidence to connect him with the crime. Two material witnesses namely, Swaran Singh PW-3 and PW-8 Naginder Singh have since been examined and have not supported the prosecution version. PW-Sanjeev Kumar has expired. All the material witnesses stand examined. As such, there are no chances of his intimidating them. He is in custody for a period of about 2 years and 09 months. There are no chances of conclusion of trial in near future. No useful purpose would be served by detaining him in custody any more. His antecedents are clean.

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Co-accused Gurpreet Singh has since been extended benefit of bail. It is, therefore, argued that he deserves to be released on bail.

5. Per contra, learned Assistant Advocate General, Punjab while relying upon the status report, has vehemently argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have caused death of his wife by strangulating her and by inflicting other injuries on her person on 13.06.2023. There was no eye-witness to the offence of murder. The petitioner had placed on record copies of sworn depositions of PW-2 Sucha Singh, father of the victim, PW-3 Swaran Singh, cousin of the victim and of Naginder Singh a witness to the alleged suffering of extra judicial confession by the petitioner. None of them is shown to have implicated the petitioner in commission of subject offences. However, on perusal of record, it is revealed that there is other evidence in the form of hair strands lifted from the clenched fist of the victim which as per the DNA report have matched with the DNA profiling of the present petitioner. Even the blood stains found on the shirt of the petitioner are found to be consistent with the blood sample of the victim. None of the witnesses who have been declared hostile was an eye-witness to the occurrence. As such only due to the fact that they have not supported the prosecution case, no inference as to the innocence of the petitioner can be drawn. The case of the co-accused

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Gurpreet Singh who has been extended benefit of bail cannot be stated to be on parity with the case of the petitioner as graver allegations have been levelled against him. The prolonged incarceration of the petitioner alone cannot be considered to be a reason for extending benefit of bail to him. 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 material witnesses are also to be weighed. Frivolity of prosecution should always be considered.

8. In light of the foregoing legal principles and other circumstances as discussed above, this Court finds no compelling ground to allow this petition. Accordingly, the petition is dismissed.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

30.04.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No