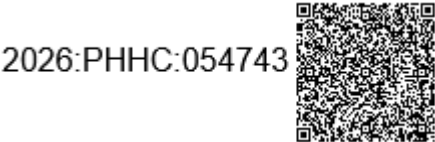


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



CRM-M-15436-2026 (O&M)

Jaspreet Singh

... Petitioner

Vs.

State of Haryana

... Respondent

1.	The date when the judgment is reserved	08.04.2026
2.	The date when the judgment is pronounced	09.04.2026
3.	The date when the judgment is uploaded on the website	09.04.2026
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. Sahil Choudhary, Advocate for the petitioner.

Mr. Vikram Singh, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant one is the fourth petition for grant of regular bail as filed by the petitioner in case arising out of FIR No.67, dated 03.02.2022, registered under Sections 302, 34 and 201 IPC, at Police Station Pinjore, District Panchkula. Two of the petitions as filed by the petitioner had been dismissed as withdrawn by this Court whereas the third petition bearing

CRM-M-28322-2025 had been dismissed by this Court vide order dated 19.08.2025.

2. The petitioner is facing trial for commission of the aforementioned offences on the allegations that he along with co-accused had taken the victim – Abhinav Chandel son of the complainant, Ashok Kumar to a hotel room, had consumed heroin and had killed him by strangulating him. Thereafter, his dead body was thrown in a drain after keeping the same in a sack.

3. As per the allegations, after recovery of the dead body, post mortem examination of the same was conducted. The call detail record of the phone of the victim had been taken. It was revealed that the petitioner along with co-accused Rakesh Kumar, Bharat Mittal and Amandeep were involved in the murder of the victim. The petitioner was arrested on 07.02.2022. His third petition had been dismissed by this Court by making following observations:

“The petitioner along with the co-accused is alleged to have taken the victim Abhinav Chandel to Rose Hotel, Kalka on 30.01.2022. As per the further allegations, he along with the co-accused assaulted the victim and strangulated him to death. The petitioner has placed on record copies of statements of witnesses examined before the trial Court. A perusal of testimony of PW-1 Ashok Kumar complainant shows that he did not say anything to connect the petitioner with the crime. PW-4 Sachin from whom the present petitioner had allegedly purchased a plastic gunny bag to tie the dead body of the victim is also shown to have turned hostile and has not identified the petitioner. Similarly, PW-5 Sumit Kumar from whom one jute bag had allegedly been purchased by the petitioner has also not identified the petitioner. PW-6 Raj Kumar from whom the

petitioner had allegedly purchased a blanket on 31.01.2022 is shown to have identified the petitioner during his examination-in-chief but during cross-examination, he is shown to have stated that he could not identify the petitioner but for the fact that he had come to the shop of this witness with police officials and had himself told that he had purchased blanket from the shop of this witness. This witness is also shown to have stated that had the petitioner himself not disclosed his identity, he would not have identified him. The sworn deposition of PW-7 Sudhir Kumar has also been placed on record which shows that on 29.01.2022, the petitioner along with two more persons had come to Rose Hotel wherein he was working in the housekeeping department and had given copy of his Aadhar Card as identity proof. He is shown to have identified the petitioner only. On a perusal of these statements, it is revealed that except PW-7 Sudhir Kumar, no other witness has identified the petitioner. However, on the basis of the statements of PW-1, PW-4, PW-5 and PW-6 alone, it cannot be stated that the petitioner was not involved in the occurrence. The allegations against the petitioner are serious in nature. The case is based on circumstantial evidence which is yet to be completed. Keeping in view the nature of the allegations as levelled against the petitioner, the part played by him, the fact that the testimony of PW-7 shows that the petitioner had occupied the hotel room along with the victim on the fateful day, this Court is of the opinion that the petitioner does not deserve to be extended benefit of bail. Accordingly, the petition is dismissed.”

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. There has been delay of 04 days in registration of the FIR. After dismissal of his previous petition, there has not been any progress in the trial as only 15 prosecution witnesses have been examined so far. He is in

custody for a period of more than about 04 years and 02 months. Co-accused have already been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, argued that he deserves to be released on bail.

5. Status report and custody certificate have been filed. Learned State counsel has argued that the instant one being the successive fourth bail petition is not maintainable. Moreso, there is no drastic or substantive change in the circumstances. His previous petition had been dismissed by passing a detailed order. The trial is going at a proper pace since as many as 15 prosecution witnesses already stand examined. The trial may be expedited further. The case of the co-accused cannot be stated to be at parity with the case of the petitioner as he had been duly identified by PW7 Sudhir Kumar, an employee of Rose Hotel, where the petitioner had gone with the victim and co-accused. The circumstances unerringly point out towards the involvement of the petitioner in the crime. Merely on account of his prolonged incarceration, he cannot be extended benefit of bail. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. So far as the question of maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the

one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed by Hon'ble Supreme Court.

8. The allegations against the petitioner are that he along with co-accused had taken the victim to Rose Hotel, Kalka on 30.01.2022, wherein he had been assaulted and strangled to death. PW7 Sudhir Kumar had deposed in his sworn deposition that the petitioner along with two persons had come to Rose Hotel on the fateful night and had given his identity proof i.e. Aadhar Card. This fact itself establishes the presence of the petitioner along with the victim in the room of that hotel on the fateful night. The allegations against the petitioner are serious in nature. His case cannot be stated to be at parity with the co-accused as his presence stands established. Undisputedly, he is in custody for a period of about 04 years and 02 months. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the seriousness of the accusation of murder under Section 302 of IPC. There exists a genuine apprehension that his release may imperil the course of trial and undermine the integrity of the trial and could pose a risk by influencing unexamined witnesses or tampering with evidence. 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 complainant is also to be weighed. Frivolity of prosecution should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail. It is also well settled proposition of law that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*.

9. In light of the foregoing legal principles, this Court finds no compelling ground to grant benefit of bail to the petitioner. Accordingly, the petition is dismissed.

10. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

11. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

09.04.2026

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE