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(108)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17979-2025

Date of Decision: 19.02.2026

AMANDEEP SHUKLA @ AMAN

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate and
Mr. R.S. Bagga, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Dr. Pankaj Nanhera, Sr. Advocate with
Mr. Abhiyayant, Advocate and
Mr. Pradeep Duhan, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail in case bearing FIR No.154 dated 12.05.2024 registered under Sections 302, 34 IPC at Police Station City Khara, District SAS Nagar, Mohali, Punjab.

2. The present FIR came to be registered at the instance of Subhash Chander S/o late Baldev Singh and the same reads as under:-

“Copy of Statement – Statemen Subhash Chander, S/o late Baldev Singh, Resident of House No. 2900, Arjun Estate, Jind, Haryana, aged about 57 years, Mobile No. 9466446821, stated that I and my wife Santosh and my Son Tushar aged 21 years.



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My son Tushar is running a Dhaba namely Ship and Byte from last 8 months and in Kharar my known Kulbir, S/o Rajesh Kumar, resident of Village. Kinnar, P.S Mirchpur, district Hissar were residing at house no. 24, Darpan City, Kharar, District SAS Nagar along with a girl namely Tamana, D/o Jasmer Singh, resident of Sitalpur Colony, Narwana Road, Jind staying in live in relationship. Today at about 10:00 AM, I got a call from my known Kulbir who stated that your son Tushar is murdered and the girl namely Tamana, D/o Jasmer Singh, resident of Sitalpur Colony, Narwana Road, Jind and his friend Aman, S/o Ashwini, resident of house no. 293, Sector 79, Mohali who all three were in the same room and till morning girl Tamana and boy Aman were left from the place. Due to that I reached at Kharar with my family. Whereas I inquired on my behalf from the another tenant Kartik, S/o Balwinder Singh who is residing as running to the room of my son then I came to know that my son Tushar murdered by Tamana and above Aman because my son Tushar had also earlier told me that I have a death threat from Aman. Which he can do anything wrong to my any time. And I am fully sure that Aman and Tamana have killed my son Tushar. Legal action may kindly be taken against them. I have met with you and police officials at MP Park, Kharar, I have given you my written statement which is heard, understand which is correct. Statement given by Subhash Chander above, Sd/-."

3. The learned Senior counsel for the petitioner contends that the case is based on circumstantial evidence. There is absolutely no evidence inculcating the petitioner in the commission of the offence. PW1-Kulbir, PW2-Vishal Vyas and PW3-Dishant Khatkar have been examined as prosecution witnesses but their version does not further the prosecution case.

The version of PW2-Vishal Vyas is only to the effect that he had seen Tushar

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(deceased), Tamana and the present petitioner in Tushar's room drinking and eating on the night intervening 11/12.05.2024. In the absence of any other material evidence, the petitioner is entitled to the concession of bail moreso when he is in custody since the last 01 year and 09 months and only 04 of the 22 prosecution witnesses have been examined, delaying the conclusion of the Trial.

4. On the other hand, the learned State counsel along with the learned Senior counsel for the complainant contend that there is 'last seen' evidence of PW2-Vishal Vyas who saw the deceased and the accused drinking and eating together. Thereafter, the deceased was found dead. Therefore, there is sufficient inculpatory evidence to suggest that it is the petitioner along with his co-accused who committed the offence in question. Hence, the petitioner is not entitled to the concession of bail. They, however, concede that the petitioner is in custody since the last 01 year and 09 months and only 04 of the 22 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since the last 01 year and 09 months but only 04 of the 22 prosecution witnesses have been examined. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when he is a first-time offender.

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7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Amandeep Shukla @ Aman S/o Ashwani Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present one.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.02.2026

JITESH

Whether speaking/reasoned:- Yes/No**Whether reportable:- Yes/No**