



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

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**CRM-M No.19275 of 2026
Date of decision : 4.5.2026
Date of uploading : 5.5.2026**

Pawandeep Singh @ Akash**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Amit Arora, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.18 dated 7.2.2023 under Sections 302, 34 of IPC (Section 34 of IPC deleted later on), registered at Police Station Bhikhiwind, District Tarn Taran.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Gurlal Singh son of Virsa Singh son of Bahl Singh resident of Blehr Roa, Village Bhikhiwind aged about 40 years, Mobile No. 79736-01537. It is stated that I am resident of above-mentioned address. That I use to do labour work. My marriage was solemnized with Sukhbir Kaur resident of Naushera Dhala in the year 2003. I am having three children. Eldest is my daughter Sharanjit Kaur, younger to her is my daughter Simranjit Kaur and younger is my son Akashdeep Singh. That my middle daughter Simranjit Kaur is 7th class passed and who after her studies use



to work as cloth sales person at love cut piece, Bhikhiwind. That there she got developed love affair with Amandeep Singh @ Akash son of Baldev Singh resident of Blehr Road, Bhikhiwind who was residing in our neighborhood because of which reason we solemnized the marriage of both on 21.1.2023. From the said day my daughter Simranjit Kaur residing in her in laws house. That my daughter met me and stated that Pawandeep Singh and his family members are causing harassment to her and use to tell her that not to visit her paternal house without asking them and in case you will there or will talk on the telephone then you will have to face the consequences. Today on dated 07.02.2023 at about 5:30 AM I was passing in front of the in laws house of my daughter Simranjit Kaur for going to toilet and at that time Pawandeep Singh and Simranjit Kaur were fighting with each other and I heard there noises from the window and I believing it to be their personal fight between them as such not interfered between them and now I have came to know that my daughter Simranjit Kaur has been murder by Pawandeep Singh today in the morning by strangulating her neck. That family members Baldev Singh son Singara Singh, Ranjit Kaur wife of Balwant Singh, Gagandeep Singh son of Baldev Singh have not given information regarding the death of my daughter Simranjit Kaur to me and I came to know from the neighborhood about the death of my daughter at about 1:00PM in the afternoon. That I alongwith Harinder Singh son of Joginder Singh resident of Ward no. 1, Garden Colony, Bhikhiwind was coming to give information to you and you met us on the way, thus the strict legal action may kindly be taken against the aforesaid accused persons. Statement has been got recorded which has been read over and the same is admitted to be true Sd/ Gurlal Singh verified by Harinder Singh above said attested by Sd/- Baljinder Singh SI SHO Police Station Bhikhiwind Date 07.02.2023.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 7.12.2023. Learned counsel has further iterated that the petitioner has been falsely implicated into the FIR in question as he had performed a love marriage with the deceased, which was not to the liking of the family of the deceased. Learned counsel has further submitted that the petitioner has suffered incarceration for more than 3



years and is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed short reply by way of affidavit of Atul Soni, PPS, Deputy Superintendent of Police. Sub-Division Valtoha, Camp at Bhikhiwind, District Tarn Taran, which is on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 3.5.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 7.2.2023 wherein after investigation was carried out; challan was prepared on 1.5.2023 and subsequently filed. Total 15 prosecution witnesses have been cited, out of which only 3 have been examined till date. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in ***Criminal Appeal No.2787 of 2024*** titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

“19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective



of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”

It is not in dispute that the material private prosecution witnesses stand examined. The rival contentions raised at Bar give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 3.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 years, 2 months and 25 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned



CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

4.5.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No