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

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**CRM-M No.19543 of 2026
Date of Decision: 11.05.2026**

Udham Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Balraj Gujjar, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Ms. Mansi, Advocate and
Mr. Bhisham Kumar, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case bearing FIR No.154 dated 03.12.2022 initially registered under Sections 302 and 34 of IPC and Section 25 of Arms Act, 1959 (For short "Act, 1959") (Section 34 of IPC was deleted and Section 120-B of IPC and Section 27 of Act, 1959 were added later on) at Police station Bhupani, District Faridabad (Haryana). His previous petition bearing CRM-M-14932-2025

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was dismissed by the Coordinate Bench of this Court vide order dated 18.11.2025.

2. The aforementioned FIR was registered on the basis of a complaint filed by complainant – Bittu Singh, alleging that his father owned 5 acres of land at village Kidawali. In the year 2018, his father had entered into an agreement to sell that land in favour of one Akhtar for a sum of Rs.04.25 crores. An amount of Rs.35 lakhs was given as earnest money by the abovenamed Akhtar and the remaining payment was to be made within 22 months. The complainant and his family had been cultivating the said land and had also been residing in the same by making a house. After execution of agreement, accused Akhtar and Kalu extended threats to the complainant not to cultivate his land and otherwise to kill him. On the intervening night of 02/03.12.2022, the complainant had gone to village Jaidpur and in his absence, someone had killed his father by firing shots with some firearm. He found the dead body of his father lying in the fields and raised suspicion that he had been killed by the above named Akhtar and Kalu.

3. After registration of the FIR, investigation proceedings were initiated. The post mortem examination of the dead body of the victim was conducted. On 24.12.2022, the complainant recorded a supplementary statement on the basis of which the present petitioner and co-accused Baljeet @ Babli were nominated as additional accused. They were arrested

on 25.12.2022. They suffered disclosure statements admitting their

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involvement in the murder of the victim. The accused Baljeet recovered one motorbike, one empty cartridge and one countrymade pistol and the petitioner got recovered one countrymade pistol and one fired cartridge which were taken into possession. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He had no motive to kill the victim. The complainant had recorded his supplementary statement 21 days after the incident and there has been no basis for his naming the petitioner. The case rests upon the circumstantial evidence. There is no direct or indirect incriminating evidence to connect the petitioner with the murder of the victim. A false recovery has been planted upon him. He is in continued detention for a period of more than 03 years and 04 months. No useful purpose would be served by his further detention. There are no chances of conclusion of trial in near future as only 08 out of 34 prosecution witnesses have been examined so far. Each day spent by him in custody furnishes a new ground to him for seeking benefit of bail. The material witnesses PW-1 Bittu Singh, PW-2 Sharanjeet Singh and PW-3 Mangat Singh stand examined and there are no chances of his intimidating them. They have not implicated the petitioner in commission of subject offences. The co-accused Baljeet has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, thus, argued that he deserves to be extended the benefit of bail.

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Assistant Advocate General, Haryana assisted by learned counsel for the complainant has vehemently argued that the allegations against the petitioner are quite serious in nature as by hatching a conspiracy with the co-accused, he had gone to the house of the victim on the fateful night, had committed his murder with a countrymade pistol. As per the FSL report, the bullet recovered from the body of the deceased is proved to have fired from the countrymade revolver recovered at the instance of the petitioner. His previous petition had been dismissed by passing a detailed order. His case cannot be stated to be at parity with the case of Baljeet who has been extended benefit of bail. There is no substantial or drastic change in the circumstances. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

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. The previous petition as filed by the petitioner had been dismissed by passing a detailed order including the fact

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that the bullet recovered from the dead body of the victim was fired from the firearm recovered at the instance of the petitioner, as per the FSL report. The case of co-accused Baljeet was not on similar footing and hence, he had been extended benefit of bail. Though three material witnesses namely, PW-1 Bittu Singh, PW-2 Sharanjeet Singh and PW-3 Mangat Singh have not implicated the petitioner in commission of subject offences as reflected from the copies of their sworn depositions as placed on record, however, they were not eye-witnesses to the occurrence. Even PW-4 i.e. wife of the deceased had reached at the spot when the occurrence already took place. The allegations against the petitioner are grave in nature. The circumstances emanating on record prima facie establish his complicity in the crime. The case of petitioner cannot be treated to be at parity with the case of the co-accused. Learned counsel for the petitioner has also failed to point out any drastic or substantial change in the circumstances warranting exercise of powers by this Court for grant of regular bail to the petitioner. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

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

11.05.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No