

2026.PHHC:078946



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.22325 of 2026
Date of Decision: 18.05.2026

Akash @ Gurpreet Singh @ Khand ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manu Loona, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

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
54	14.03.2025	City 1 Abohar, District Fazilka	103, 167 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (167 of BNS deleted and 238 and 190 of BNS and 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’) were added)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the statement of complainant Gurjeet Singh alleging therein that on

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10.03.2025 at about 7:00 PM, his son Arman Singh was at home when the accused Narinder Singh, who was his neighbour called him outside. Arman Singh went along with him but did not return home thereafter. Despite repeated efforts, the complainant and his family could not trace him. The complainant then went to the house of accused Narinder Singh to inquire about his son, where his family members informed him that Arman Singh was not present there. On 11.03.2025, the complainant lodged a missing report at the police station. Despite continuous search, Arman Singh could not be found. The complainant suspected that the petitioner and accused Narinder Singh along with their associates had abducted and murdered his son and disposed of his body. The suspicion had arisen due to prior enmity as on Basant Panchmi day, the accused Narinder Singh and others had assaulted Arman Singh over a dispute. The complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated.

3. During investigation, the dead body of the victim was recovered from Azam Wala minor canal in the area of village Jandawala on 15.03.2025. Post-mortem examination of the dead body of the victim was conducted. On the basis of the statement of Bhagwinder Kaur, wife of the complainant, Avtar Singh @ Tari, Krishna Rani, Anu Ranu and Rajveer Singh @ Raju were also nominated as accused in this case. The petitioner was arrested on 14.03.2025. He suffered disclosure statement to the effect that on 10.03.2025, the victim along with himself and co-accused Narinder

Singh had purchased heroin from accused Avtar Singh @ Tari and they had

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consumed the same at the house of accused Rajvir Singh @ Raju. He disclosed that accused Narinder Singh and himself had administered injections containing contraband to themselves and then forcibly to the victim despite his resistance. The victim had become unconscious and then he had left that place. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of suspicion. He was not named in the FIR and has been named only in the supplementary statement recorded by the complainant three days after the incident. The delay in FIR has also not been satisfactorily explained. No injury has been on the dead body of the victim. No poison or narcotic substance has been detected in the dead body. Even as per the viscera report, the disclosure statement allegedly suffered by himself cannot be considered to be admissible in evidence. The chances of conclusion of trial in near future are bleak as even charges have not been framed so far. His incarceration of more than one year would not serve any useful purpose. Co-accused Krishna Rani, Anu Rani, Narinder Singh and Rajveer Singh have been granted concession of regular bail. He deserves parity. It is, therefore, urged that he deserves to be released on bail.

5. Reply has been filed by the respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioner, who along with co-accused had committed murder of the victim by forcibly administering heroin to him through a syringe. The case of the co-accused, who have been granted concession of bail, is on different

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tampering with evidence or influencing witnesses. Hence, the petition deserves dismissal.

6. This Court has heard learned counsel for the parties at considerable length.

7. The allegations against the petitioner are that he along with co-accused, purchased heroin and consumed the same. It is further alleged that the petitioner, along with a co-accused, forcibly administered a heroin injection to the victim, as a result of which he became unconscious and subsequently died. Having heard learned counsel for the parties and upon perusal of the material on record, this Court finds that the prosecution case, at this stage, rests primarily on circumstantial evidence. The name of the petitioner does not find mention in the initial missing report dated 11.03.2025 and his involvement has surfaced subsequently in the statement forming the basis of the FIR, which prima facie reflects an improvement in the version of the complainant. The case of the prosecution largely hinges upon the disclosure statement of the petitioner. However, it is well settled that such a statement made in police custody is not admissible in evidence except to the extent it leads to recovery. In the present case, no independent incriminating material has been brought on record to directly connect the petitioner with the alleged offence. It is also significant that as per the post-mortem report, no external injury was found on the body of the deceased and the cause of death has been opined as asphyxia due to antemortem drowning.

The viscera report does not indicate presence of any poison. Thus, the exact

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circumstances leading to the death of the victim would be a matter to be established during trial. Investigation stands completed and challan has already been presented. The petitioner has been in custody since 14.03.2025 and the trial is yet to commence as even charges have not been framed so far. The conclusion of trial is likely to take considerable time. Although the allegations are serious in nature, however, the role attributed to the petitioner is to be tested on the touchstone of evidence during trial. Keeping in view the aforesaid facts and circumstances, this Court is of the view that further incarceration of the petitioner would not serve any useful purpose and he has made out a case for his release on bail.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.

(ii) He shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) He shall appear before the learned trial Court as and when directed.

(iv) He shall provide his permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not



change the same without informing the trial Court.
(v) He shall also give details of his mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in his mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance and shall keep his mobile phone switch on all times.

9. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.
10. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

18.05.2026
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Whether speaking/reasoned
Whether reportable

(MANISHA BATRA)
JUDGE

Yes/No
Yes/No