



CRM-M-26462 of 2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235

CRM-M-26462 of 2025 (O&M)
Date of Decision: 06.02.2026

Palwinder Singh alias Parminder Singh Patwari

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Arshpreet Khadial, Advocate
for the petitioner.

Ms. Aiman J. Chisthi, AAG, Punjab.

Mr. A.S. Sekhon, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.50 dated 02.08.2023 registered under Sections 302, 120-B, 148 and 149 of the IPC and Sections 25/54/59 of the Arms Act, (Sections 212/216 IPC added later on and deleted Sections 120-B, 148, 149 IPC and Sections 25 of the Arms Act, vide DDR No.44 dated 14.08.2023) (Section 34 IPC added, vide DDR NO.41 dated 25.10.2023), at Police Station Bariwala, District Sri Muktsar Sahib.

2. Brief facts of the present case as per the prosecution are that the petitioner along with other co-accused committed murder of Sarabdaman

**CRM-M-26462 of 2025 (O&M) -2-**

Singh (husband of the complainant) by firing gunshots.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He further argued that the complainant is not the eye-witness of the alleged incident and the entire case is based on hearsay and circumstantial evidence. He further argued that the complainant has not mentioned the time of occurrence in her statement/FIR and also the source of her information against the petitioner and other co-accused persons, which itself falsify the prosecution case. He further argued that the during investigation as per the disclosure statement of petitioner, co-accused Harnek Singh, Babljit Singh, Navdeep Singh, Narjinder Singh and Gurwinder Singh have been found to be innocent. He further argued that even if the contents of the FIR are taken to be true, the deceased had a land dispute with the above-said 5 co-accused and have litigation with the same but no litigation was ever pending between the deceased and the petitioner and as such, the case of the petitioner is on better footing than that of said co-accused persons. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 14.08.2023. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 46 prosecution witnesses and out of them, only 08 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

**CRM-M-26462 of 2025 (O&M) -3-**

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and while referring to the status report already filed in the matter, she has opposed the prayer for grant of bail on the ground that the allegations levelled against the petitioner are serious in nature. She argued that the petitioner had committed the murder of the deceased by giving firearm injuries to him. Moreover, the petitioner alone is found culpable for killing the deceased. She further argued that there is direct evidence against the petitioner. She further submitted that the petitioner himself admitted the offence in his disclosure statement, which itself proves the involvement of the petitioner in the crime. Hence, she prays that the present petition be dismissed.

5. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the allegations against the petitioner are grave and serious in nature as he has committed heinous murder of the deceased. The petitioner himself admitted his offence in his disclosure statement, which affirms the role of the petitioner in the alleged crime. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious.



CRM-M-26462 of 2025 (O&M) -4-

Reference in this context can be had to the observations made by the Hon'ble Supreme Court in *Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav, 2004 AIR(SC) 1866*, *Chenna Boyanna Krishna Yadav v. State of Maharashtra, (2007) 1 SCC 242* and *State through CBI v. Amaramani Tripathi, 2005 (4) RCR (Criminal) 280(SC)*.

7. Keeping in view the gravity of the allegations as levelled against the petitioner, petitioner admitted his guilt in his own disclosure statement regarding the murder of the deceased-Sarabdaman Singh coupled with the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition does not deserve to be allowed.

8. Accordingly, the present petition being bereft of any merit, is dismissed.

(RUPINDERJIT CHAHAL)
JUDGE

06.02.2026
D.Bansal

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