



CRM-M-27917-2026

-1-

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

CRM-M-27917-2026

Date of Decision: 21.05.2026

Varinder Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Parampreet Singh Paul, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab..

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.117 dated 30.08.2022, registered under Sections 302, 392, 394, 411, 201, 34 IPC, at Police Station Khamano, District Fatehgarh Sahib.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant, namely, Sumail Kaur. It was alleged that her parents got Panchayati divorce in the year 2017 and the complainant and her brother are living with her mother Gurdeep Kaur (since deceased). Her mother was in live-in relationship with one Bhupinder Singh @ Bhinder. However, about 1½ months ago, one boy started to talk with her mother on Instagram. On 27.08.2022 at about 11:15 p.m., her mother Gurdeep Kaur left the house in her car, however, she did not return. The complainant tried to contact her mother but could not contact. On 28.08.2022 at about 09:07 p.m., Bhupinder Singh @ Bhinder called the complainant and told about death of her mother. The complainant also informed the same to her father. Thereafter, she was informed that one dead body was found from Bhakhra Canal in the area of Civil Lines and the dead



body is lying in the Mortuary of Rajindra Hospital, Patiala. Thus, request was made to take legal action against the culprits. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and he was arrayed as an accused in the present case. Resultantly, he was arrested on 02.09.2022. The petitioner approached the Court of learned Additional Sessions Judge, Fatehgarh Sahib praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.07.2024. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the case of the prosecution is based on the circumstantial evidence. It is contended that as per the case of the prosecution, the petitioner was in relationship with deceased Gurdeep Kaur and he had taken her in the night with him. However, except the bald statement, there is no credible evidence regarding the last seen and the prosecution has relied upon the cock and bull story without producing any admissible evidence on record. He has submitted that the petitioner has been roped in the present case only on the basis of presumptions and assumptions. He submits that the deceased had taken Panchayati divorce from her husband and there could be another rival who could have murdered her. He submits that recovery of car of the deceased and other material at the behest of the petitioner, are totally planted upon him. He has contended that co-



CRM-M-27917-2026

-3-

accused Gurwinder Singh @ Guri has already been granted bail by this Court vide order dated 09.04.2026. He contends that the petitioner has no criminal antecedents and he is languishing in jail from the last more than 3½ years. He further contends that the material witnesses already stand examined. He, thus, has submitted that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. It is submitted that the petitioner was in relationship with the deceased and he allured her in the night by taking her to a remote place where she was done to death by hitting baseball bat on her head. It is also contended that the car of the deceased and one glass in which the petitioner alongwith the deceased had consumed beer, was also recovered and finger prints on the glass were matched with that of the petitioner. He contends that 20 injuries were found on the body of the deceased. However, he admits that co-accused Gurwinder Singh @ Guri has been granted bail. On instructions, he has submitted that out of total 35 prosecution witnesses, 07 witnesses remain to be examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that as per the case of the prosecution, the present case is totally based on the circumstantial evidence. As stated before this Court, co-accused Gurwinder Singh @ Guri has already been granted bail by this Court. Evidence produced by the prosecution is recovery of one car of the deceased and call details records of the petitioner with the deceased. The custody certificate would show that the petitioner has suffered incarceration of 03 years, 08 months & 13 days as on 20.05.2026. It further shows that the



CRM-M-27917-2026

-4-

petitioner is involved in one more case which is under Prison Act, however, he is on bail in the same. Out of 35 prosecution witnesses, 07 witnesses remain to be examined, which shows that all the material witnesses have been almost examined.

6. Speedy trial is the right of every accused. The Hon'ble Supreme Court in Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.



CRM-M-27917-2026

-5-

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

21.05.2026

sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No