



CRM-M-27633-2026

1

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

268

**CRM-M-27633-2026
Decided on :21.05.2026**

Naveen alias Kaku

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sukhveer s. Killianwal, Advocate for the petitioner.

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in case FIR No. 18 dated 16.02.2021, under Sections 302, 34 IPC (Section 103, 3(5) of BNS), registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. FIR was lodged by the complainant, Bhola Lal. It is alleged that the dead body of his son, Narinder Pal Singh, was found lying at Gidderbaha, and that some unknown person had informed him about the deceased being found on the rear seat of a car. As per the FIR, Narinder Pal Singh (since deceased) had left his house on 15.02.2021 at about 10:00 a.m.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the entire prosecution

**CRM-M-27633-2026****2**

story rests upon a solitary “last seen” circumstance as stated by Jagpal Singh, who is a relative of the deceased and is not an eye witness to the alleged occurrence.

It is further submitted that in his alleged statement recorded during investigation, Jagpal Singh claimed to have seen the petitioner along with co-accused and others in a car at Bathinda Chowk, Malout, wherein the dead body of Narinder Pal Singh was stated to be lying in the same car; however, the said statement, being merely a circumstance of “last seen”, is not sufficient in itself to establish guilt in the absence of any independent corroboration.

Learned counsel further submits that the case is purely based on circumstantial evidence and it is a settled principle of law that the prosecution must establish a complete and unbroken chain of circumstances excluding every hypothesis consistent with innocence of the accused.

It is further submitted that co-accused namely Suman Pandey has already been granted the concession of regular bail by this Court vide order dated 01.04.2026 (P-3) passed in CRM-M-16229-2026. Learned counsel for the petitioner contends that petitioner is in custody since 06.03.2021 and the trial is likely to take considerable time to conclude Accordingly, counsel prays for grant of regular bail to the petitioner.

**CRM-M-27633-2026****3**

4. Per contra, learned State counsel opposes the present bail application and submits that the petitioner is involved in a serious offence of murder based on credible circumstantial evidence, including the “last seen” account and other material collected during investigation. It is submitted that the involvement of the petitioner cannot be viewed in isolation and requires thorough examination during trial. Learned State counsel further contends that mere grant of bail to a co-accused does not create an automatic ground for release of the petitioner, as the role and evidence qua each accused are required to be assessed independently. Thus, learned State counsel prays for dismissal of present petition.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto.

6. Considering the circumstances in their totality, particularly the fact that petitioner is in custody since 06.03.2021, and that out of total of 40 prosecution witnesses only 10 have been examined till date while two have been given up, this Court is of the view that the trial is likely to take considerable time to conclude. It is further noticed that co-accused Suman Pandey has already been granted the concession of regular bail by this Court vide order dated 01.04.2026 (P-3), and no distinguishing circumstances have been brought on record to justify a different view qua the petitioner at this stage.

**CRM-M-27633-2026****4**

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

21.05.2026***Rashmi***

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*