

2026:PHHC:042171



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.43618 of 2025

Amrinder Singh @ Jimmy ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	16.03.2026
2.	The date when the judgment is pronounced	18.03.2026
3.	The date when the judgment is uploaded on the website	18.03.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate and
Mr. Souravdeep Singh, Advocate,
for the petitioner.

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

Mr. G.S. Khokhar, Advocate for
Mr. Munish Raj Chaudhary, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The instant one is the second petition as filed by the
petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita,

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2023 (For short “BNSS”) seeking regular bail in case arising out of FIR No.137 dated 18.09.2022 registered under Section 460 of IPC (Sections 302, 201 and 396 of IPC added later on) at Police Station Division Kabarwala, District Sri Muktsar Sahib. The previous petition as filed by him, had been dismissed as withdrawn.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Nishan Singh alleging that the victim Hakim Dalip Singh was running a Pharmacy in Village Sarawan Bodla. He was a spinster and had adopted Sher Singh @ Sheru, nephew of the complainant. On the evening of 17.09.2022, the complainant had gone to the victim to give supper to him in a tiffin. In the next morning at 11:30 AM, he had gone to Pharmacy of the victim to take back the utensils and found the victim to be lying dead. He had been strangulated and a rope had been encircling his neck. The articles in the Pharmacy were also found to be scattered. The locks were broken and even DVR and CCTV cameras had been missing. By alleging that the victim had been killed by some unknown persons after being looted, he prayed for taking action in the matter.

3. Initially, a case under Section 460 of IPC was registered. Investigation proceedings were initiated. During the course of investigation, statement of witness Gubhej Singh was recorded to the effect that on 14.04.2025, he had overheard the petitioner and the co-accused Amrit Singh while hurling abuses and saying that they had committed the murder of the victim Dalip Hakim and had misappropriated his money but no one had

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come to know about this fact nor anybody would know about the same. Supplementary statement of the complainant Nishan Singh was recorded and the present petitioner along with Amrit Singh @ Amritpal Singh @ Ambi, Shamsher Singh @ Shammi, Ranjit Singh @ Nana and Gurnishan Singh @ Nishan Singh were nominated as accused. Offences under Sections 302, 396 and 201 of IPC were added. The petitioner was arrested on 15.04.2025. Co-accused were also arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of supplementary statement recorded by the complainant and the statement made by Gurbhej Singh after a gap of about three years after the occurrence. It is submitted that the forensic evidence collected at the time of incident had not implicated the petitioner. At the time of occurrence, the petitioner along with his family was away on a pilgrimage and, therefore, there was no question of his killing the victim. The statement of Gurbhej Singh cannot be considered to be of any relevance. The complainant named him without any basis. The case is based on circumstantial evidence and there is no circumstance to connect him with the crime. He is in custody for over a period of about eleven months. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. He is on bail in one case registered against him and his involvement in the same does not disentitle him to seek concession of bail in this case. With these broad submissions, it is urged that he deserves to be released on bail.

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5. Status report has been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner. The statement of Gurbhej Singh as recorded during the course of investigation proves his active complicity in the crime. That apart, he himself suffered disclosure statement narrating the reason for eliminating the victim and about the manner in which the murder of the victim was committed. The trial is going on at a proper pace. There has not been any undue delay in the trial. With these broad submissions, it is stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have committed the offence of robbery/dacoity in the premises of victim and also his murder on the fateful night. The witness who had overheard the petitioner while disclosing the factum of committing murder is yet to be examined. There has not been any undue delay in proceedings with trial. The allegations against him are specific and serious in nature. The incarceration of the petitioner cannot be stated to be long. Even otherwise, the well settled proposition of law is that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious.

Reference in this context can be had to the observations made in ***Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242*** and ***State through CBI***

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Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC). Taking into consideration the nature of the allegations levelled against the petitioner, this Court is of the considered opinion that merely on account of period spent by him in custody, the petitioner does not deserve to be given benefit of regular bail. Accordingly, the petition 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.

18.03.2026
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(MANISHA BATRA)
JUDGE

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