



CRM-M-43570-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 26.02.2026

Davinder Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Nikhil Anand, Legal Aid Counsel
for the petitioner(s).

Mr. Vinay Malhotra, DAG Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Davinder Singh, aged 22 years	122	25.09.2022	302, 34 IPC	Boha	Mansa

2. As per case of the complainant-Babu Singh, incident took place during intervening night of 24/25.09.2022, when complainant woke up at 4.15 a.m. and noticed that mobile phone of his son Jagjeet Singh was continuously ringing, and also that throat of his son was slit with sharp weapon. Lot of blood was there on the floor under the bed and when the complainant started shouting, his nephew and other family members residing next door to him came inside the



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house, after jumping over the wall and thereafter the complaint was registered to the police.

During investigation of the case, help of finger print technical unit for collection of mould of the shoes was taken which were worn by the accused at the time of incident. Also on the crime spot, dog squad and finger prints team were called. Thus, case of prosecution depends entirely upon the circumstantial and technical evidence.

3. Learned State counsel on instructions from HC Harjinder Singh submits that there was strong doubt against the petitioner, therefore, he was arrested, however, FSL report for confirming the foot mould is yet to be received.

4. Zimni orders which have been placed on record during the pendency of the present petition also indicate that despite granting of about 26 opportunities for leading evidence by the prosecution, only 01 prosecution witness has been examined till date out of a total 22 prosecution witnesses

5. Even as per submission of petitioner's counsel, total 32 opportunities have been availed and status of trial is still the same. It can not be ignored that the petitioner is inside jail, without proving of charges whereas on the other side prosecution has completely failed in speeding up the proceedings of the trial. Witnesses are not being even examined, as already informed the FSL report is also awaited. The petitioner is aged 22 years and he is inside jail for the last period of 03 years, 04 months and 26 days and is not accused in any other criminal case.

6. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

7. Considering the circumstances in its entirety, this Court is of the considered view that further incarceration of the petitioner would not serve any



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useful purpose.

Consequently, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

Pending misc. application(s), if any, also stand disposed of.

February 26, 2026

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

(SANJAY VASHISTH)
JUDGE