

2026:PHHC:019501



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.45596 of 2025

Maninder Singh @ Sabi ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	06.02.2026
2.	The date when the judgment is pronounced	10.02.2026
3.	The date when the judgment is uploaded on the website	10.02.2026
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: Mr. Nippun Sharma, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-



FIR No.	Dated	Police Station	Sections
112	19.09.2021	Bhogpur, District Jalandhar Rural	302, 120-B, 148 and 149 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Joginder Singh on 19.09.2021 alleging that his son Gurinder Singh @ Lucky who had performed love marriage with Hardeep Kaur was not having cordial relations with the members of his in-laws family. The petitioner and his brother Varinder Pal Singh, brothers of Hardeep Kaur were nursing grudge against the son of the complainant on account of his performing love marriage and several times altercations had taken place. He alleged that on the night of 18.09.2021, his son had gone outside his house and sometime thereafter, on receipt of information that an altercation was taking place between the petitioner, his brother Varinder Pal Singh, mother Rajinder Kaur and some unknown persons with the son of the complainant, he rushed outside and found them while assaulting his son. They struck blows with scissors, swords and other sharp edged weapon upon the person of his son. On clamour being raised by the complainant, all of them fled from the spot. His son was rushed to the hospital but succumbed to the injuries sustained by him.

3. After registration of FIR, investigation proceedings were initiated. The postmortem examination of dead body of the victim was conducted and several stabbed wounds were found on the person of the same which were opined to be cause of the death. The accused Rajinder Kaur and

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Varinder Pal were arrested on 19.09.2021. The accused Varinder Pal Singh got recovered scissors used in the crime. The petitioner surrendered before the Court of jurisdictional Magistrate on 06.04.2022. Investigation now stands completed and he along with the co-accused is facing trial for commission of offence of murder of the victim.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period of over 03 years 10 months. Only act attributed attributed to him is that he had caught hold of arms of the victim when the co-accused Varinder Pal Singh had struck blows with scissor. As such, he cannot be stated to be the assailant of the victim. There are no chances of conclusion of trial in near future. He does not have criminal antecedents. His further incarceration will not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

5. Status report and custody certificate have been filed. Learned Assistant Advocate General, Punjab has argued that the petitioner in connivance with the co-accused had actively participated in commission of offence of murder of the victim by holding the victim whereas the co-accused had inflicted injuries on the victim thereby causing his homicidal death. The allegations against him are serious in nature. The petitioner cannot be considered to be entitled for grant of bail only on account of his prolonged incarceration. It is, therefore, argued that the petition does not deserve to be allowed.

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6. This Court has considered the rival submissions.

7. The petitioner is alleged to have hatched a conspiracy with his brother and mother and in pursuance of that conspiracy, the victim was intercepted on the fateful day, was caught hold by the petitioner and then blows were inflicted upon him with scissor by the co-accused thereby causing his death. The allegations prima facie make out a case for commission of subject offence by the petitioner as well. The allegations against him are quite serious in nature. It is well settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstances of each case. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the material witnesses are also to be weighed. So far as the extended/prolonged period of incarceration is concerned, 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 Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)***. Taking into consideration the nature of the allegations levelled against the petitioner, the part played by him, this Court is of the considered opinion that merely on account of his



extended 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.

10.02.2026
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(MANISHA BATRA)
JUDGE

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