

2026:PHHC:049277



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH  
CRM-M-46590-2025

Pargat Singh  
...Petitioner  
Versus  
State of Punjab  
...Respondent

| Sr. No. | Particulars                                                                              | Details        |
|---------|------------------------------------------------------------------------------------------|----------------|
| 1       | The date when the judgment is reserved                                                   | 25.03.2026     |
| 2       | The date when the judgment is pronounced                                                 | 30.03.2026     |
| 3       | The date when the judgment is uploaded on the website                                    | 30.03.2026     |
| 4       | Whether only operative part of the judgment is pronounced or 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: Ms. Samina Dhir, Advocate for the petitioner.  
Mr. Roshandeep Singh, Assistant Advocate General, Punjab.  
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MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case bearing FIR No. 99 dated 12.06.2023 registered under Sections 302, 325, 120-B, 148 and 149 of IPC at Police Station Makhu, District Ferozepur.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Krishna Rani alleging therein that on the night of 11.06.2023, she along with her husband Jaswinder Singh was sleeping inside a room of her house when at about 11:00 PM, 6-7 persons with muffled

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faces reached outside her house being armed with *datar*, sticks and *sottas*. One of them made an exhortation that the complainant and her husband should be taught a lesson for giving information regarding having illicit liquor with Bhupender Singh and getting the recovery of the same effected by the police and his arrest. They then entered inside her house, dragged her husband from his bed and assaulted him by giving injuries with the respective weapons which they were having. She raised alarm and rushed for rescue of her husband but she too sustained injuries at the hands of the assailants. On clamour being raised, her brother-in-law Balwinder rushed for their rescue and then the assailants fled on a car and motor bike which they had brought along with them.

3. As per the further allegations, Bhupender Singh, a co-villager had been avoiding return of money taken from her husband and had been arrested on being found in conscious possession of illicit liquor. While suspecting that her husband had a hand in his arrest, had got opened an assault upon him. The victim Jaswinder died on the same intervening night.

4. After registration of FIR, investigation proceedings were initiated. The accused Bhupender Singh @ Baldev Singh, who was in custody in some other case, was joined into investigation of this case on 13.06.2023 and was arrested. He suffered disclosure statement to the effect that since the victim had given a secret information to the police regarding his indulgence in selling illicit liquor, hence he had asked his brother Pargat Singh, i.e. the present petitioner, nephew Gurjant Singh and Dimanshu Thakur to eliminate the victim. On his disclosure statement, the petitioner and above named

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Dimanshu Thakur and Gurjant Singh were nominated as additional accused. The petitioner and Dimanshu Thakur were arrested on 16.06.2023. The petitioner suffered disclosure statement admitting his involvement in commission of offence of murder of the victim and took the names of the remaining assailants Ajay, Lovepreet Singh @ Love @ Manpreet Singh, Prince and Dilbag Singh, who too were nominated as accused. The car used by the petitioner at the time of commission of subject offence was also recovered. Subsequently, other accused were also arrested. Investigation now stands concluded.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Bhupender Singh @ Baldev which cannot be considered to be admissible in evidence. He was not named in the FIR. The material witnesses now stand examined. However, the trial will still take considerable time to conclude as only 08 out of 22 witnesses have been examined. No incriminating evidence has come on record against him. No useful purpose would be served by detaining him in custody anymore. His prolonged incarceration is militating against the provisions of Article 21 of the Constitution of India. The accused Manpreet Singh has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, thus, argued that the petition deserves to be allowed.

6. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. There are chances of his absconding or

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committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

7. This Court has heard learned counsel for the parties at considerable length.

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that assembly and by hatching a conspiracy with the co-accused is alleged to have caused injuries on the person of the victim Jaswinder Singh by entering inside his house on the fateful night. He had struck blow with *datar* on the person of the victim. The said *datar* had been got recovered at his instance. The disclosure statement of the co-accused, though subject to evidentiary scrutiny at trial, cannot be brushed aside at this stage since it forms part of chain of the circumstances pointing towards the involvement of the petitioner in the conspiracy and in the unlawful assembly. The role attributed to the petitioner is specific. The petitioner has been linked with the offence with the aid of Section 149 of IPC. The allegations *prima facie* show his clear involvement in the occurrence while having knowledge that such offences likely to be committed in prosecution of common object. He stands accused of a heinous crime punishable with a capital punishment. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the gravity of the accusation of murder under Section 302 of IPC. There is a genuine apprehension that the release of the petitioner may imperil the course of trial and undermine the integrity thereof. It is well settled proposition of law that grant of bail is a discretionary relief to be granted or

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denied based on specific facts and circumstances of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The case of petitioner cannot be stated at parity with the case of the co-accused. The trial is going on at a proper pace as 11 out of 22 prosecution witnesses stand examined, 07 have been given up and only 04 witnesses remain to be examined. As such, it cannot be stated that there would be any undue delay in conclusion of the trial. Frivolity of prosecution should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail. Keeping in view the nature of the allegations levelled against him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

10. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]  
JUDGE

**30<sup>th</sup> March, 2026**  
*Parveen Sharma*

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |