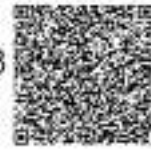


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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-51074-2025

Date of decision: 17th February, 2026

Manav Mehta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gurmehar Singh Minhas, Advocate for the petitioner.
Mr. Vivek Sharma, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition 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. 64 dated 20.09.2023 registered under Sections 302, 148, 149, 120-B, 201 and 411 of IPC at Police Station Dhilwan, Kapurthala. His previous petition CRM-M-8034-2024 had been dismissed as withdrawn vide order dated 08.05.2024.

2. The aforementioned FIR was registered on the basis of statement got recorded by complainant Gurnam Singh, alleging that his son Hardeep Singh @ Deepa had some disputes with accused Harpreet Singh @ Happy. Some cases were also got registered against his son at Police Station Dhilwa in that regard and to avoid his arrest, his son used to stay out of his house. On the evening of 19.09.2023, he had visited home after long time and had left his house with a bank passbook. On the same night, on hearing some noises

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outside his house, he along with his wife Kulwant Kaur peeped outside and found accused Harpreet Singh while standing there and proclaiming that they had done with his son and he could pick up him and thereafter, the accused Harpreet Singh had left the spot with others. The complainant opened the gate and found his son to be lying in the street in an injured condition. On asking, he disclosed that the accused Harpreet Singh along with his accomplices had opened attack upon him with sickle and a sword and had caused injuries. He was rushed to hospital but succumbed to his injuries. After registration of FIR, investigation proceedings were initiated. On 22.09.2023, the complainant recorded his supplementary statement on the basis of which the petitioner and some other persons were nominated as accused. Offence under Section 120-B of IPC was added. The petitioner was arrested from his house on 22.09.2023. He suffered disclosure statement admitting his involvement in the crime by saying that on 19.09.2023, he had gone to meet his friend Navjeet Singh @ Gora, asking for some help in getting his money back from one Rinku Padda, agent with the help of accused Harpreet Singh, who was a friend of Navjeet Singh. His friend Navjeet Singh had made a call to Harpreet Singh @ Happy. The complainant along with his friend had gone to his house in his Scorpio car. The petitioner further disclosed that on reaching at the house of accused Harpreet Singh, he had seen the other accused present there. Accused Harpreet Singh had told his mother Kulwinder Kaur that on that very day, they would nab the victim Hardeep Singh and his mother had told accused Harpreet Singh to not to spare the victim and had also handed over a sack full of sharp edged

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weapons.

3. In his disclosure statement, the petitioner further disclosed that the accused Harpreet Singh made other accused and himself sit in his car. They had gone to the place of occurrence. Some accused had followed them in a motorbike. The accused Harpreet Singh had hit the motorbike of the victim with the car of the petitioner then all the accused had get out of the car and had opened attack upon the victim with their respective weapons whereas, he himself came back home along with his vehicle and subsequently came to know that the victim had been killed. Other accused were also arrested subsequently. 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 of the complainant. He was not named in the FIR. There was no basis for implicating him. He had come back to his house at around 9:30 PM as on the date of incident. The CCTV footage of the camera installed in his house verified this fact. He has not been attributed any specific role in the incident nor any injury has been attributed to him. Merely on account of allegation that he was present along with the co-accused, his complicity in the crime has not been established. He is in custody since long. Only 02 out of 24 prosecution witnesses have been examined so far. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

5. *Per contra*, learned State counsel has argued that the allegations against the petitioner are serious in nature as it was on his car that the co-

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accused and himself had gone to the place on occurrence. The car of the petitioner himself had been used for the purpose of hitting the bike of the victim. His presence at the spot at the time of commission of subject offence stands fully established. He is also liable under the principle of vicarious liability. With these broad submissions, it is urged that the petition does not deserve to be allowed.

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

7. The petitioner is alleged to have become a part of an unlawful assembly hatched with the co-accused to eliminate the victim on the fateful day and he is alleged to have accompanied the co-accused in his car on that very day. His car had hit the vehicle of the victim due to which he had fallen. As per his disclosure statement, the conspiracy to eliminate the victim was hatched in his presence by the accused Harpreet Singh, his mother and other accused. He has been linked to the acts attributed with the aid of Section 149 of IPC. The allegations prima facie show his involvement in the occurrence while having knowledge that offence of murder of the victim was likely to be committed in prosecution of common object. His presence itself was sufficient to assume that he was having knowledge about the incident that was to follow. He along with the co-accused stands accused of heinous crime with capital punishment or life imprisonment. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the gravity of accusation of murder under Section 302 IPC. His previous petition had been

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dismissed as withdrawn on 08.05.2024. There is no substantive or drastic change in the circumstances. 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 circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. 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 is also to be weighed. 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.

8. In light of the foregoing legal principles and other circumstances as discussed above, this Court finds no compelling ground to allow this petition. Accordingly, the petition is dismissed.

9. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and also not to be taken as an expression of opinion on merits.

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

[MANISHA BATRA]
JUDGE

17th February, 2026

Parveen Sharma	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No