

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:009700



222

CRM-M-54597-2025 (O&M)
Date of decision:22.01.2026

Lakhwinder Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naresh Chander, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. 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 arising out of FIR No.219, dated 10.10.2018, registered under Section 302 IPC, at Police Station Tripuri, Patiala, District Patiala.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Harbhajan Singh on 10.10.2018, alleging therein that on the same day, he had received a call from his sister Karamjit Kaur that his younger sister Manpreet Kaur married to the petitioner, had been murdered by him by inflicting injuries on her head by an axe. By alleging that the petitioner having suspicion about the character of

the victim had murdered her for that reason, he prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated. Post mortem examination of the dead body was conducted, as per which several incised wounds were found including one wound on the right side of head where an axe was also stuck. It was removed and a chopped wound measuring 12×4 cm was observed on the right side of the head. The petitioner was arrested on 17.10.2018. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody for a period of more than 07 years. Only 10 out of 28 prosecution witnesses have been examined so far. The trial is not likely to conclude in the near future. His prolonged incarceration militates against his fundamental right enshrined under Article 21 of the Constitution of India. He has permanent abode. There are no chances of his absconding or intimidating the witnesses. It is, therefore, argued that he deserves to be released on bail.

5. Status report and custody certificate have been filed. Learned State counsel has argued that taking into consideration the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the petitioner.

7. The petitioner is alleged to have killed his own wife by striking several injuries on her person with an axe. He is in custody for a period of

more than 07 years. The trial obviously is not going to be concluded shortly since only 10 witnesses out of 28 prosecution witnesses have been examined so far. As such, his continued detention would not serve any useful purpose. It is well settled proposition of law that prolonged incarceration generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such cases, when there is delay in conclusion of trial without there being any fault on the part of the accused, he becomes entitled to be released on bail. Since the trial of this case, apparently and evidently is shown to have been delayed, as such, this Court is of the considered opinion that no fruitful purpose would be served by keeping the petitioner in custody any more. In view of the above discussion, this Court is of the considered opinion that a case is made out for grant of bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the extent of two sureties in the like amount each, to the satisfaction of the learned trial Court, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

22.01.2026

harjeet

(MANISHA BATRA)
JUDGE

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