



CRM-M-53809-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 20.03.2026

Sukhjinder Singh @ Nikka

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ankit Kharbanda, Advocate
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
Sukhjinder Singh alias Nikka, aged 46 years	0093	18.04.2024	302, 382, 201 and 34 IPC (Section 382, 201 and 34 IPC added later on)	Jandiala	Amritsar Rural

2. FIR in the present case has been got registered by the complainant- Bachitter Singh, who is brother of deceased Sukhdev Singh alias Laddi on 18.04.2024.

During investigation, same day witnesses Dilbagh Singh approached the investigating officer and got recorded his statement that “on 18.04.2024, at



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about 3.30 a.m., he went to his fields for watering and then saw that the petitioner and the co-accused Puran Chand were arguing with Sukhdev Singh and thereafter went to his tubewell. Further got recorded that “when he was going home to collect the key of his tubewell room lock, he saw the petitioner and co-accused Puran Chand in perplexed condition and later he came to know about the murder of Sukhdev Singh.

Similar statement was got recorded by another witness namely Sukhdev Singh son of Dalip Singh that “on 18.04.2024 when was returning home after attending party for watering his fields, petitioner and Puran Chand met him on the way and told him that they had a dispute with Sukhdev Singh and the petitioner told him that he caused injuries on head/ right arm and ear of Sukhdev Singh with blow of Khanda (datar) alongwith Puran Chand.”

3. Learned counsel for the petitioner argues that case depends upon circumstantial evidence and more so the extra judicial confession of the aforementioned two witnesses namely Sukhdev Singh and Puran Chand. There is no other direct evidence, connecting the petitioner by proving involvement of the petitioner even on *prima facie* basis. It is heavily upon the prosecution to establish the chain of the events/circumstances and only on the basis of alleged statement recorded under Section 161 Cr.P.C., termed to be the confessional statement, it can not be assumed that witnesses are true and not planted one. Moreover, there cannot be any apprehension to the prosecution opinion of tampering with the witnesses. Thus, prays for grant of bail to the petitioner.

4. On the other hand, learned State counsel has vehemently opposed the bail petition and submits that there are serious allegations and statements of



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witnesses are yet to be recorded.

5. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it and find that the case depends upon the circumstantial evidence only and there is no direct evidence. The petitioner is already inside jail for the last 01 year and 11 months period, need not be detained for indefinite period.

Accordingly, 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.

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

7. 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.

8. 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.

9. Petition stands disposed of.

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

March 20, 2026

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

(SANJAY VASHISTH)
JUDGE