



CRM-M-57130-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-57130-2025

Date of Decision: 06.03.2026

SHINGARA SINGH @ SHANKAR

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Zorawar Singh Chauhan, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 06 dated 20.01.2025 under Sections 103, 238, 61(2) of BNS, 2023 registered at Police Station, City Morinda.

2. The case of the prosecution is that the petitioner, in connivance with his co-accused Buta Singh (brother of the petitioner) and others, allegedly committed the murder of Rajan Verma by administering an intoxicating drug to him on 17.01.2025. It is alleged that the said intoxicant was injected by co-accused Kamalpreet @ Jony, while the petitioner and other co-accused were present at the spot at the time when the said intoxicant was administered to Rajan Verma. Thereafter, the dead body of Rajan Verma was allegedly wrapped in a blanket, placed in a Maruti car bearing registration No. CH-03R-8533 and thrown into the Bhakra Canal. The said Maruti car, along with the dead body of Rajan Verma, was subsequently recovered from the Bhakra Canal on 21.01.2025 at the instance of co-accused Buta Singh, brother of the petitioner, on the basis of his disclosure statement.

3. Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been nominated only on the basis of the disclosure

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statement suffered by his co-accused. He further submits that the petitioner was not the person who administered the drug to the deceased. The only allegation against the petitioner is that he was present at the spot and allegedly participated in the disposal of the body, which they thought was dead at that time. It is argued that Section 103 of the BNS would not be attracted in the present case and the case would fall under Section 109 of the BNS.

4. Notice of motion.

5. Mr. Parneet Singh Pandher, learned Assistant A.G., Punjab, accepts notice on behalf of the respondent–State. He has vehemently opposed the prayer made by learned counsel for the petitioner for the grant of regular bail. He has filed the custody certificate in Court today and the same is taken on record. As per the custody certificate, the petitioner is in custody for the last 11 months and 26 days and is also involved in one more case under the POCSO Act. He further submits that the cause of death has been stated to be drowning.

6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions of learned counsel for the parties and keeping in view the facts and circumstances of the case and considering the fact that the petitioner was not named in the FIR and has been nominated only on the basis of the disclosure statement of the co-accused; the specific allegation of administering the intoxicant to the deceased is attributed to co-accused Kamalpreet @ Jony; the petitioner is in custody for the last 11 months and 26 days; and the trial is likely to take considerable time to conclude, this Court is of the view that further detention of the petitioner would not serve any useful

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purpose. Moreover, it is a settled principle of law that “*bail is the rule and jail is the exception.*”

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

06.03.2026
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(H.S.GREWAL)
JUDGE

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