

**120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2026.PHHC.043263



CRM-M-57914-2025 (O&M)

Date of Decision: 19.03.2026

RAJAN KUMAR ALIAS TINDA

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr. Amit Sharma, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 439 of the Cr.P.C. in FIR No.182 dated 26.10.2023 under Sections 454, 380, 307 (later of Section 302 IPC was added) registered at Police Station Civil Lines, District Patiala, Punjab.

2. The case of the prosecution is that a blind murder had taken place of one Gurpreet Kaur, who succumbed to her injuries at the Rajindra Hospital, Patiala. It is alleged that the petitioner alongwith co-accused entered into the house of the deceased who was residing alone and committed her murder by causing injuries on her person with the help of a knife and other weapons and also committed robbery in her house.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is not named in the FIR. He has been nominated on the basis of disclosure statement of co-accused Prince Kumar @ Gitku. However, no recovery has been effected from the petitioner and he is not seen in the footage of CCTV camera installed in the vicinity. He further submits that the petitioner is in

custody for the last 02 years, 04 months and 14 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Mr. Parneet Singh Pandher, A.A.G., Punjab accepts notice on behalf of the State and vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 02 years, 04 months and 14 days and out of total 28 prosecution witnesses, only 03 have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that petitioner has been nominated on the basis of disclosure statement of co-accused, no recovery has been effected from him; the petitioner is in custody for the last 02 years, 04 months and 14 days; he is not involved in any other case; out of total 28 prosecution witnesses, only 03 have been examined so far; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

7. 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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate

concerned.

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

19.03.2026
Janki

(H.S.GREWAL)
JUDGE

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