

2026:PHHC:023221



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

105

**CRM-M-60109-2024
Date of decision: 16.02.2026**

RAMESH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Vishavjeet Singh Rishi, Advocate and
Ms. Divya Sharma, Advocate for the petitioner.

Dr. (Ms.) Savi Nagpal, Asst. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 140 dated 29.09.2021, registered under Section(s) 302 of the Indian Penal Code, 1860 (Section 34 and 201 of the IPC was added later on) at Police Station Daba, District Ludhiana.

2. The facts of the present case as mentioned in the order of the trial Court, reads as under:-

“The brief facts of the case, which require consideration for disposal of the present bail application are that FIR in question has been registered on the basis of

statement of complainant Bechan to the effect that his younger brother Ram Lagan, was living at Ludhiana got married with Manisha in the year 2000 and they were having three children. About 7 months ago, he received a telephone call from his brother Ram Lagan that his wife Manisha had gone somewhere with someone alongwith their children. But, after some days, he again informed him on telephone and told him that she had returned and on asking she disclosed that she had gone with Ramesh to the house of Barfat Ansari and was residing with them, due to which there remained dispute between Ram Lagan and Manisha and on one occasion his brother had informed him that Manisha was not desisting from said behavior. On 21.09.2021, his sister-in-law Manisha told him on phone that Ram Lagan was not traceable, so he asked her to search for him. On 22.09.2021, again a phone call was received form Manisha that she had a dream that Ram Lagan had expired and his dead body was lying in the fields of paddy near the canal and on the next day, again phone of Masiha was received by him that on searching, dead body of Ram Lagan was found near the canal. He asked Manisha to call the police, but she switched off the phone and the complainant again called Manisha that cremation of his brother be held in his presence, whereupon Manisha told him that dead body had decayed a lot and again switched off the phone. It was further alleged that on 24.09.2021 when he reached Ludhiana, he came to know that his sister-in-law had cremated Ram lagan despite asking her to wait for him. He was fully sure that his sister-in-law Manisha alongwith Ramesh and Ansari had killed his brother.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner is in custody since 30.09.2021 and has already undergone an actual custody of more than 04 years and 04 months. He contends that the trial is still at initial stage and only 06 witnesses out of a total 20 witnesses

have been examined so far. It is contended that so far as the informant-Bechan-elder brother of the deceased is concerned, he has not supported the case of prosecution during his testimony. The petitioner thus may be granted concession of regular bail.

4. Learned State Counsel on the other hand refers to the status report filed by way of an affidavit filed by Satwinder Singh Virk, PPS, Assistant Commissioner of Police, Industrial Area-B, Ludhiana and contends that the petitioner alongwith his co-accused Manisha and Barfat Ansari had committed murder of Ram Lagan. A disclosure statement of the petitioner was recorded under Section 27 of the Evidence Act wherein he had admitted to stabbing the deceased Ram Lagan in the neck and stomach, and thereafter dragging and concealing his body under grass and straw. It is contended that pursuant to the disclosure, the knife which was used in the commission of the offence was recovered from bushes near Lohara Canal KachiPatri and even the bicycle used by the petitioner was recovered from the rented house of the petitioner. She however does not dispute that the petitioner has already undergone an actual custody of more than 04 years and 04 months in the present case that only 06 prosecution witnesses has been examined so far. She however contends that 05 witnesses have been given up and only 09 witnesses remain to be examined. It is also not disputed that the complainant-Bechan-brother of deceased has not supported the case of the prosecution during deposition.

5. I have heard learned counsel appearing on behalf of the respective parties taking into consideration the period of custody already undergone by the petitioner i.e. more than 04 years and 04 months and only 06 witnesses having been examined in the present case alongwith the clean

antecedents of the petitioner and coupled with the fact that the complainant has turned hostile, I deem it appropriate to enlarge the petitioner on regular bail.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

FEBRUARY 16, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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