

2026.PHHC.006698



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237

CRM-M-62045-2025

Date of decision: 19th January, 2026

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. J.K. Singla, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

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 bearing FIR No. 46 dated 04.05.2025 registered under Sections 105 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Jhunir, District Mansa.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Jaswinder Kaur on 04.05.2025 alleging that in the morning of 01.05.2025, the present petitioner along with the co-accused, Jaggi Singh and two more persons namely Karni @ Jaskaran Singh and Shivraj Singh had come to her house and had taken her son Dharampreet Singh along with him on his motor bike. In the noon of 04.05.2025, she heard announcement in the Gurdwara Sahib of the village and came to know that the dead body of her son was found while being drowned in the Bhakra canal.

By alleging that the petitioner along with the co-accused, in connivance with

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each other had pushed her son in the Bhakra Canal thereby resulting into his death, she prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. Post mortem examination of the dead body was conducted. The petitioner was arrested on 05.05.2025. He made a disclosure statement and got recovered his mobile phone and motor bike. The persons named as co-accused Jaskarn and Shivraj Singh were found to be innocent. The accused Jatinder Singh @ Jaggi was subsequently arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for the commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eye-witness to the incident and the entire case is based on circumstantial evidence. There is no circumstance to connect him with the subject crime. There is delay of three days in lodging of the FIR which has not been explained. The allegations that he along with some other persons had thrown the victim in Bhakra canal are totally vague and improbable. He has clean antecedents. His further incarceration would not serve any useful purpose. Trial will take considerable time to conclude since none out of 24 prosecution witnesses has been examined so far. Therefore, it is urged that the petition deserves to be allowed.

5. Status report and custody certificate have been filed. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he does not deserve to be extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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6. This Court has heard learned counsel for the parties at considerable length.
7. The petitioner accompanied by three more persons is alleged to have taken the victim along with him as on 01.05.2025 and three days thereafter, the dead body of the victim was found drowned in Bhakra Canal. The case is based on circumstantial evidence and apart from recovery of cell phone and motor bike of the petitioner, no incriminating evidence has been collected against the petitioner. The petitioner has clean antecedents. He has been in custody since 05.05.2025. It is only on thorough assessment of the evidence to be produced before the trial Court that any definite conclusion as to the involvement of the petitioner in the commission of subject offence can be drawn and not at this stage. There are no chances of conclusion of trial in near future. It is also well settled that pre-trial incarceration should not be a replica of post-conviction sentence. Taking into consideration the above discussed facts but without meaning to make any comment upon the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
8. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th January, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |