



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

236

CRM-M-64131-2025

Date of Decision: 16.02.2026

SURJIT SINGH ALIAS BAGGA SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Satnam Singh Gill, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (ORAL)

1. The instant petition is the fourth petition filed by the petitioner seeking grant of regular bail in case bearing FIR No. 92 dated 25.11.2022, registered under Sections 302, 201 and 120-B of the IPC, 1860 at Police Station Cheema, District Sangrur. His three earlier petitions for grant of regular bail were dismissed as withdrawn.

2. Brief facts relevant for the purpose of the present petition are that on 25.11.2022, a secret information was received at Police Station Cheema to the effect that the present petitioner was having an affair with one Rajji Kaur @ Jasveer Kaur and both of them had hatched a conspiracy, in pursuance whereof, Amrik Singh, husband of Rajji Kaur @ Jasveer Kaur, was murdered by them and they had caused disappearance of his dead body. It was further informed that a few days back Rajji Kaur @ Jasveer Kaur had lodged a report regarding the disappearance of her husband. Believing the secret information to be true, a ruqqa was sent to the police station for



registration of the FIR. On the same day, the statement of Pamma Singh brother of the victim Amrik Singh, was recorded, who disclosed that on 27.10.2022, accused Rajji Kaur @ Jasveer Kaur had quarrelled with her husband Amrik Singh and on the same night, he had seen the present petitioner going towards the house of his brother. The petitioner and co-accused Rajji Kaur @ Jasveer Kaur were arrested on 26.11.2022. During interrogation, they suffered disclosure statements admitting the factum of hatching a conspiracy, killing the victim and throwing his dead body in a pit and burying the same with soil and water. In pursuance of their disclosure statements, the dead body of the victim was exhumed from a pit in the house of accused Rajji Kaur @ Jasveer Kaur. The post-mortem examination of the dead body was conducted. The investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. There is no eye-witness to the murder of the victim and the case is based on circumstantial evidence. The dead body was not recovered at his instance. There is a delay of 28 days in lodging the FIR. A false story has been prepared by the brothers of the deceased to get rid of Rajji Kaur @ Jasveer Kaur and to deprive her of the property left by the deceased and to usurp the same. The petitioner is in custody for a period of over three years and two months. The trial is likely to take considerable time to conclude. He has clean antecedents and his further incarceration would not serve any useful purpose. The prolonged incarceration of the petitioner militates against his right under Article 21 of



the Constitution of India. It is, therefore, contended that the petition deserves to be allowed.

4. Per contra, learned State counsel has argued that there are serious and specific allegations against the petitioner. The dead body of the victim, which had been dug into a pit, was recovered pursuant to his disclosure statement. The chain of circumstances points towards his complicity in the crime. The trial is in progress, seven prosecution witnesses have been given up, four have been examined and a few witnesses still remain to be examined. Prolonged incarceration of the petitioner, by itself, cannot be considered a ground for grant of bail in a heinous crime like the present one. It is, therefore, contended that the present petition does not deserve to be allowed.

5. This Court heard the rival submissions made by both the parties.

6. The petitioner, in connivance with the co-accused, is alleged to have committed the murder of Amrik Singh and to have concealed his dead body in a pit dug in the house of accused Rajji Kaur @ Jasveer Kaur, in order to cause disappearance of evidence of the offence. The allegations against the petitioner are quite serious in nature and *prima facie* establish his complicity in the commission of the offence. The trial is in progress and there is no material on record to show that there would be any undue delay in its conclusion. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference



in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. Keeping in view the gravity of the allegations, the quantum of sentence for which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, this Court of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

February 16, 2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No