



CRM-M-66133-2025(O&M)

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IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CRM-M-66133-2025(O&M)
Date of Decision: 24.02.2026

BALTEJ SINGH AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB AND ANR

... Respondents

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

Present: Mr. C.S.Jattana, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

CRM-6258-2026

This application has been filed for placing on record the order dated 15.10.2025 as Annexure P-3.

For the reasons stated in the application, the same is allowed and order dated 15.10.2025 is ordered to be taken on record as Annexure P-3.

Main case:

1. The present petition has been filed by the petitioners under Section 483 of BNSS for grant of regular bail in case FIR No. 124 dated 30.09.2024 under Sections 103, 333, 3(5) of BNS, 2023 registered at Police Station Boha District Mansa.
2. The case of the prosecution is that the petitioners, along with their co-accused, committed the murder of Nasib Kaur due to a grudge arising out of a dispute regarding the construction of a wall allegedly extended towards the street.



It is alleged that the co-accused, namely Sukhpal Kaur and Karamjit Kaur, inflicted injuries to deceased Nasib Kaur by banging her head with the interlocking tiles on the earth in street. However, the specific allegation against the present petitioners are that they gave kicks and fist blows to the deceased.

3. Learned counsel for the petitioners submits that they have been falsely implicated in the present case. He further submits that, as per the medical record, the cause of death was declared to be cerebral damage consequent upon blunt force trauma to head via injury No.2 which is sufficient to cause death in the ordinary course of nature and the injuries allegedly attributed to the petitioners were not the cause of death. It is also contended that co-accused Sukhpal Kaur has already been granted the concession of regular bail by a Coordinate Bench of this Court; therefore, the petitioners seek parity with the said co-accused. The petitioners are stated to be in custody since 02.10.2024.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice on behalf of the respondent–State and has vehemently opposed the prayer made by learned counsel for the petitioners. He has filed the custody certificate in Court today and the same is taken on record. He further submits that as per the custody certificate, the petitioners are in custody for the last 01 year 04 months and 18 days and are not involved in any other case.

6. I have heard the submissions made by ld. counsel for the parties and perused 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 the fact that the co-accused Sukhpal Kaur has already been granted concession of regular bail; petitioners are in custody for the last 01 year 04 months and 18 days; trial is likely to take a considerable time to conclude, this Court is of the view that further detention of the petitioners would not serve any useful purpose. Moreover, it is a settled principle of law that “*bail is a rule and jail is an exception*”.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioners are ordered to be released on regular bail on their 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 petitioners are found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

24.02.2026
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(H.S. GREWAL)
JUDGE

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