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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-67236-2025 (O&M)

Narinder Singh @ Harwinder Singh @
Harvinder Singh @ Nindi ...Petitioner

Versus

State of Punjab ...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	25.03.2026
2	The date when the judgment is pronounced	30.03.2026
3	The date when the judgment is uploaded on the website	30.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Manu Loona, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner
in case arising out of FIR No. 54 dated 14.03.2025, registered under
Sections 103, 167 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short
'BNS') [Section 167 of BNS deleted and Sections 238, 190, 167, 3(5) of
BNS and Section 27 of the NDPS Act added later on] at Police Station

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City-1 Abohar, District Fazilka.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the statement of complainant Gurjeet Singh alleging therein that on 10.03.2025 at about 7:00 PM, his son Arman Singh was at home when the petitioner, who was his neighbour called him outside. Arman Singh went along with him but did not return home thereafter. Despite repeated efforts, the complainant and his family could not trace him. The complainant then went to the house of the petitioner to inquire about his son, where family members of the petitioner informed him that Arman Singh was not present there. On 11.03.2025, the complainant lodged a missing report at the police station. Despite continuous search, Arman Singh could not be found. The complainant suspected that the petitioner and one Akash alias Khand along with their associates had abducted and murdered his son and disposed of his body. The suspicion had arisen due to prior enmity as the petitioner and others had earlier assaulted Arman Singh over a dispute on Basant Panchmi. The complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated.

3. During investigation, the dead body of the victim was recovered from Azam Wala minor canal in the area of village Jandawala on 15.03.2025. Post-mortem examination of the dead body of the victim was conducted. On the basis of the statement of Bhagwinder Kaur, wife of the complainant, Avtar Singh @ Tari, Krishna Rani, Anu Ranu and Rajveer Singh @ Raju were also nominated as accused in this case. The petitioner

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was arrested on 14.03.2025. He suffered disclosure statement admitting his involvement in the subject offences. He disclosed that on 10.03.2025, he had taken the victim from his house and along with co-accused Akashdeep Singh @ Khand and Avtar Singh @ Tari, purchased heroin for Rs.700/- and consumed the same at the house of co-accused Rajvir Singh @ Raju. He (petitioner) and Akashdeep Singh first administered heroin injections to themselves and thereafter forcibly administered an injection to the victim despite his resistance. As a result, the victim became unconscious and subsequently died. Thereafter, they disposed of the dead body by throwing it into a canal using a motorcycle. Investigation now stands completed and challan has been filed. The petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The complainant in his missing report submitted on 11.03.2025 had nowhere alleged that the victim was taken by the present petitioner. While recording his statement on 14.03.2025, which formed basis for registration of the present FIR, he had materially improved his version by naming the petitioner and his other family members, which was nothing but an outcome of afterthoughts. Entire family of the petitioner has been falsely implicated in this case. The victim himself was a drug addict. There is no evidence on record to show that the victim had died a homicidal death. As per post-mortem report, no injury was found on the dead body of the victim and the cause of death was reported as Asphyxia due to antemortem drowning, which was sufficient to cause death. Even as per

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viscera report, no poison was detected. The implication of the petitioner is solely based on his own confessional statement, which is not admissible in evidence. Even otherwise, investigation has since been completed and challan has been presented. Conclusion of trial is likely to take time as even charges have not been framed so far. The petitioner has been in custody since 14.03.2025. His continued incarceration would not serve any useful purpose. Co-accused Krishna Rani, Anu Rani and Rajveer Singh have been granted concession of regular bail by the learned trial Court. On parity, the petitioner too deserves to be given the same benefit. With these broad submissions, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

5. Reply and the custody certificate of the petitioner have been filed by the respondent-State. Learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious and specific allegations against the petitioner, who along with co-accused had committed murder of the victim. The petitioner is the main accused, who was last seen with the victim and has disclosed his role in forcibly administering heroin and disposing of the dead body. The case of the co-accused, who have been granted concession of bail, is on different footing. The offence is grave and release of the petitioner on bail may lead to tampering with evidence or influencing witnesses. Hence, the petition deserves dismissal.

6. This Court has heard learned counsel for the parties at considerable length.

7. The allegations against the petitioner are that he had taken the

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minor victim Arman Singh from his house on 10.03.2025 and thereafter, along with co-accused, purchased heroin and consumed the same. It is further alleged that the petitioner, along with a co-accused, forcibly administered a heroin injection to the victim, as a result of which he became unconscious and subsequently died and thereafter, the petitioner participated in disposing of the dead body by throwing it into a canal. Having heard learned counsel for the parties and upon perusal of the material on record, this Court finds that the prosecution case, at this stage, rests primarily on circumstantial evidence. The name of the petitioner does not find mention in the initial missing report dated 11.03.2025 and his involvement has surfaced subsequently in the statement forming the basis of the FIR, which prima facie reflects an improvement in the version of the complainant. The case of the prosecution largely hinges upon the disclosure statement of the petitioner. However, it is well settled that such a statement made in police custody is not admissible in evidence except to the extent it leads to recovery. In the present case, no independent incriminating material has been brought on record to directly connect the petitioner with the alleged offence. It is also significant that as per the post-mortem report, no external injury was found on the body of the deceased and the cause of death has been opined as asphyxia due to antemortem drowning. The viscera report does not indicate presence of any poison. Thus, the exact circumstances leading to the death of the victim would be a matter to be established during trial. Investigation stands completed and challan has already been presented. The petitioner has been in custody since 14.03.2025 and the trial is yet to

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commence as even charges have not been framed so far. The conclusion of trial is likely to take considerable time. Although the allegations are serious in nature, however, the role attributed to the petitioner is to be tested on the touchstone of evidence during trial. Keeping in view the aforesaid facts and circumstances, this Court is of the view that further incarceration of the petitioner would not serve any useful purpose and he has made out a case for his release on bail.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) He shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) He shall appear before the learned trial Court as and when directed.
- (iv) He shall provide his address where he would be residing after release and shall not change the same without informing the concerned SHO.
- (v) The petitioner shall upon his release give his mobile phone number to concerned SHO and shall keep his mobile phone switched on all times.

7. In the event of there being any FIR/complaint lodged against

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the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

30.03.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>