



CRM-M-69650-2025

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

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Date of Decision: 23.03.2026

SAGAR

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr. Parveen Chauhan, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 74 dated 18.07.2024 under Section 103(1) BNS registered at Police Station G.R.P.Jalandhar, District Jalandhar.
2. The prosecution case is that the complainant runs a construction company and executing projects across Punjab, including at Railway Station, Jalandhar City (Sick Line). The site was under the supervision of site engineer Navdeep Kumar, and Sagar was appointed as Supervisor. About three months prior, Sagar had deputed Raja Barman @ Bengali as a chowkidar for safeguarding the goods. On 18.07.2024, the complainant received information that the chowkidar, Raju Barman, had died at the site. Upon reaching the spot, he identified the deceased and noticed injuries on his head.



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3. Learned counsel for the petitioner contends that the case is of blind murder with no eye-witness. The petitioner has been nominated as an accused solely on the basis of an extra-judicial confession allegedly made before two witnesses, namely Balraj and Sumit Kumar. He further submits that the statement of one Sukhwinder Kumar, who claimed to be an eye-witness, was recorded later, though he did not disclose the alleged incident for three days, which casts serious doubt on the veracity of his statement and the genuineness of the prosecution case. He further submits that only evidence against the petitioner is the extra-judicial confession, which is not a credible piece of evidence, as the persons before whom the confession was allegedly made were neither well-known to the petitioner nor natural persons to whom one would confess such an offence. Hence, he prays for grant of regular bail.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice on behalf of the respondent-State and has vehemently opposed the prayer for grant of regular bail on the ground that the petitioner has committed the heinous crime. He has filed the custody certificate in the Court today and the same is taken on record. He further submits that the petitioner is in custody for the last 01 year 08 months and is not involved in any other case. It is also submitted that challan has been submitted, out of 29 cited prosecution witnesses only 10 have been examined so far.

6. I have heard the submissions made by the parties and gone through the record.



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7. After hearing the rival contentions and considering the fact that the petitioner is in custody for the last 01 year 08 months; petitioner is not involved in any other case; out of 29 cited prosecution witnesses only 10 have been examined so far and that the trial is likely to take considerable long time to conclude, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Moreover, it is a settled principle of law that *“bail is the rule and jail is the exception.”* Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial.

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

23.03.2026

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(H.S.GREWAL)

JUDGE

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