

2026:PHHC:053194



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

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CRM-M-73764-2025
Date of Decision: 07.04.2026

NARINDER KUMAR ALIAS LALA

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI.

Present: Mr. Vikas Kumar Gupta, Advocate
for the petitioner.

Mr. Harkanwaljeet Singh, AAG, Punjab.

Mr. Arjun Singh, Advocate for Mr. Arun
Sood, Advocate for the complainant.
(Through video conference)

JASJIT SINGH BEDI, J. (ORAL)

The present petition has been filed under Section 483 BNSS for the grant of regular bail to the petitioner in case FIR No.104 dated 17.07.2025 registered under Section 105, 238, 3(5) of BNS at Police Station Balachaur, District SBS Nagar.

2. The instant FIR came to be registered at the instant of Shindo wife of Mehar Chand and the same reads as under:-

“Statement of Shindo wife of Mehar Chand resident of village Gahoona police station Balachaur aged 45 years mobile no xxxx Stated that she is a resident of the above-mentioned address and she is a home maker. She had only one son namely Satnam Ram who had gone to Dubai 2 and half years back. Davinder Singh son of Jarnail Singh resident of village Gahoon now residing at village Sudha Majra, Neeraj Kumar son of Tarsem Lal and Narinder Kumar alias

Lala son of Surjit Ram residents of village Gahoon are friends of my son. On 21.10.2024, my son came back from Dubai. Neeraj Kumar and Narinder Kumar @ Lala had brought my son from Kangana Pull Balachaur to house. On 24.10.2024, at about 10:00 PM Neeraj came to our house and took my son along with him by stating that they were 1st go to Mata Naina Devi and thereafter Peer Negahe. My son went with them. Next date 25.10.2024 I came to that they have returned but my son did not return home, and they have been taking him for a ride. When my son did not return home, I was worried and we started searching for him. On 27.10.2024 at about 8:00 AM my son was found in fainted condition in cremation ground, who had died. Later on, we investigated at our own level then we came to know that they have killed my son by drug overdose. Even after that they had taken my son for a ride here & there and we were not informed. Thereafter they through the body of my son outside cremation ground like an orphan. Clothes on the body of my son are not his own. Only if the Davinder Singh, Neeraj Kumar and Narinder Kumar had taken my son to the hospital or informed us he would have survived. My son Satnam Ram had died as Davinder Singh, Neeraj Kumar and Narinder Kumar had not taken him to the hospital. As they were aware that in such a condition Satnam Ram can die. Action be taken against Davinder Singh son of Jarnail Singh resident of village Gahoon now residing at village Sudha Majra, Neeraj Kumar son of Tarsem Lal and Narinder Kumar alias Lala son of Surjit Ram residents of village Gahoon and justice be delivered to me. Statement is given and heard and admitted to be correct. Sd/- Shindo attested by Sd/ Rakeshvinder Singh Insp PS Balachaur date 17/07/2025.”

3. The learned counsel for the petitioner submits that taken the allegations levelled in the FIR to be correct, the petitioner and the deceased alongwith co-accused of the petitioner namely, Davinder and Neeraj all were drug addicts. The deceased had died on account of an overdose and there was

no intention on the part of the accused persons to cause death of the deceased. As the petitioner is in custody since 13.09.2025 but only 02 out of 23 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. A reply dated 04.04.2026 by way of an affidavit of Hemant Malhotra, PPS, Deputy Superintendent of Police, Sub Division Balachaur, SBS Nagar has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. He along with the learned counsel for the complainant, on the other hand, contend that the allegations against the petitioner and his co-accused are grave. They had consumed drugs and because of overdose of the same, the deceased passed away. They further submit that one of the accused persons namely Neeraj is absconding and has not been arrested till date. Therefore, the petitioner is not entitled to the concession of regular bail. They, however, concede that the petitioner is in custody since 13.09.2025 and out of 23 prosecution witnesses, only 02 have been examined till date.

5. I have heard the learned counsel for both the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, is in custody since 13.09.2025 but only 02 of the 23 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Narinder Kumar @ Lala S/o Surjit Ram is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the Trial and inform in writing each time that he is not involved in any other crime other than the present case.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from the trial without sufficient cause.

APRIL 07, 2026.

Rajender

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No