



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

212

**CRM-M-8417-2026 (O&M)
Decided on : 11.05.2026**

Manpreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

Mr. Ranjodh Singh Sidhu, Advocate
for the complainant.

SURYA PARTAP SINGH, J. (Oral)

This petition is the first petition for bail, filed by the petitioner under Section 483 of 'the Bharatiya Nagrik Suraksha Sanhita', 2023. It has been filed with regard to a case arising out of FIR No.49 dated 12.04.2025, for the commission of offence punishable under Section 103 of Bharatiya Nyaya Sanhita, 2023, Police Station City Patti, District Tarn Taran.

2. The FIR of this case came into being at the instance of 'Gurjant Singh' hereinafter being referred to as 'complainant' only. It was stated by the abovenamed complainant that his father 'Pargat Singh' was running a haircutting shop at Bus Stand Sbajpur and that on 11.04.2025 at about 08:30 P.M., when he was present at his home his friend called him on mobile phone and informed that his father 'Pargat Singh', in injured condition, was lying drenched in blood on the roadside. According to complainant on



receipt of abovementioned information, he along with his family members rushed to the spot, and found that his father was already dead. The complainant further stated that his father was having serious injury marks on the backside of his head and other parts of the body.

3. It is the case of the prosecution that in view of abovementioned statement, formal FIR of this case was lodged and the investigation taken up. According to prosecution, during the course of investigation the accused was arrested.

4. It has been further alleged by the prosecution that during the course of investigation, on 15.04.2025 the supplementary statement of complainant was recorded, wherein he stated that they were having old enmity with the petitioner with regard to a common lane and that qua abovementioned dispute, a quarrel had taken place about two years ago, but the same was settled in Panchayat. According to prosecution since finger of suspicion was raised towards the petitioner, the petitioner was joined in the investigation and on interrogation he suffered a disclosure statement wherein he conferred his involvement in the commission of crime. As per prosecution pursuant to information provided by the petitioner, a Sickle (*datar*), which was used for the commission of crime, was recovered.

5. **Notice of motion.**

6. Mr. Rohit Bansal, Sr. DAG Punjab appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. No formal reply has been filed by



the State. However, the learned State Counsel has orally opposed the present petition.

7. Heard.

8. It has been contended by learned counsel for the petitioner that the petitioner has been roped-in in the present case merely on the basis of supplementary statement of the complainant and that there is no eyewitness account. It has also been contended by learned counsel for the petitioner that the petitioner has already suffered incarceration for a period of more than one year and that in the present case, during the course of trial, the statements of material private witnesses, i.e. complainant and his mother, have already been recorded.

9. The learned State Counsel being assisted by learned counsel for the complainant has controverted the abovementioned arguments. It has been contended by learned State Counsel that in the present case there are very specific allegations against the petitioner and that the weapon of offence has been recovered at the instance of petitioner. It has further been contended on behalf of complainant that the medical opinion with regard to nature of injury corresponds to the ocular version of the story and thus, the involvement of petitioner in the present case, on the basis of abovementioned evidence, stands proved.

10. The record has been perused carefully.

11. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-



- i. that the petitioner is already in custody for a period of more than one year;
- ii. that the petitioner has no criminal antecedents;
- iii. that the statement of material witnesses, i.e. complainant and mother of complainant (widow of deceased) have already been recorded;
- iv. that the story set-out by the prosecution, with regard to use of two weapons by one person at the same time, seems to be unnatural;
- v. that there is no evidence so far to show that fingerprints of the petitioner were found on any of the weapon recorded during the course of investigation;
- vi. that nothing has been left to be recovered from the possession of petitioner;
- vii. that the trial is not likely to be concluded in near future;
- viii. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- ix. that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- x. that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in the trial.

12. In the present case, the principles of law laid down by the Hon'ble Supreme Court of India in the case of "Dataram versus State of Uttar Pradesh and another", 2018(2) R.C.R. (Criminal) 131, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an



accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

13. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil Vs. Central Bureau of Investigation and Another’, (2022) 10 SCC 51, are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which



is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

14. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

15. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon’ble Apex court in “Balwinder Singh versus State of Punjab and Another”, 2024 SCC Online SC 4354.

16. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a



conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

17. Accordingly, without commenting anything on the merits of the case, the present petition is hereby ***allowed***. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

11.05.2026

Vinod

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No