

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026.PHHC:002667



115

CRM-M-51589-2025 (O&M)

Date of decision: 13.01.2026

Date of uploading: 13.01.2026

Suraj Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

SUMEET GOEL, J. (ORAL)

1. The present petition is second petition preferred on behalf of the petitioner under Section 483 of BNSS 2023 for grant of regular bail in case bearing FIR No.62 dated 06.08.2023, registered for the offences punishable under Sections 302, 307 IPC and Section 25/27 of the Arms Act, 1959, at Police Station Punjab Agriculture University (PAU), District Police Commissionerate, Ludhiana.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

"Statement of Ravi Kumar Bholu s/o Smt. Anita Rani resident of house no. 122 Corporation Colony Panj pir road Ludhiana, police station P.A.U Ludhiana aged around 24 years. Stated that I am doing work of finance with Soma property dealer, Rishi Nagar 2 Block Ludhiana, Where I often used to go to the house of Bhupinder Singh, owner of Soma property dealer. During that time I developed love with their daughter Sandeep Kaur, who loved me a lot. But her family members were unhappy with this. On whose repeatedly saying also her family members did not agree for our marriage. On which we both ran away from the house on dated 21.06.2023 and on dated 29.06.2023 got married and a of at our the started staying house the above said address as husband and wife. On dated 05.08.23 at time around 7:00 pm, I went from my home for some important work then time around 07.40 PM when I reached back in front my house on motorcycle, then was about to get motorcycle inside the house, in the mean time one person riding on a motorcycle wearing helmet came from front and immediately on coming started firing shots indefinitely with his weapon pistol, which hit on my face and shoulders. I in order to save my life got cleverly inside the house in injured condition and from front my wife Sandeep Kaur came. Then behind me only the person wearing the helmet entered inside the house then on seeing him along with the wife got scared weapon my and entered inside the room and hid herself under the bed. Then the person wearing helmet also entered the room who took out my wife from under the bed and fired indefinitely on her and killed her. In the meanwhile my mother Anita Rani on seeing all this raised noise, but the abovesaid person wearing helmet came out of the room along with the weapon, who by removing his helmet said Sandeep Kaur was my sister who got married against our wishes by running with from under the bed and fired indefinitely killed her. In the meanwhile my mother Anita Rani on seeing all this raised noise, the abovesaid person wearing helmet came out of the room along with the weapon, but on who by removing his helmet said her and Sandeep Kaur was my sister who got married against our wishes by running with your son, who has been punished, now is the turn of Ravi Kumar". I on hearing all this, in order to save my life by passing from the top of my house to the roof of the neighbours, hid in the

washroom. Meanwhile he followed me also and by raising lalkaras fired shots. In the mean time people started to gather in the mohalla, then he ran away from the spot on motorcycle along with the weapon by giving threats. That due to this firing my wife has died and i have been injured. All this has been done by Suraj Singh son Bhupinder Singh resident of of c/o Soma Property dealer and i am here at D.M.C hospital Ludhiana under treatment.”

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 06.08.2023. Learned counsel for the petitioner has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further iterated that the prime prosecution witnesses namely PW1-Ravi Kumar and PW2-Anita Rani have turned hostile and, thus, the trial is not likely to culminate into conviction. He has further submitted that the petitioner has suffered incarceration for more than 2 years. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature. Furthermore, expressing concerns about the possibility of the petitioner fleeing from the trial proceedings, learned State counsel submits that petitioner ought not be granted the concession of regular bail. He has, accordingly, sought for dismissal of the petition in hand. He also seeks to place on record custody certificate dated 12.01.2026 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 06.08.2023 and is in continuous custody. Thereafter, investigation was carried out and challan was

presented on 11.09.2023 wherein total 31 prosecution witnesses have been cited, out of which 20 stand examined and 4 have been given up. The rival contentions of the learned counsel for the parties including the factum of the weightage required to be attached to the testimony of the hostile witnesses shall be gone into during the course of the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioners absconding from the process of justice or interfering with the prosecution evidence

6.1 Indubitably, the present petition is the second attempt on behalf of the petitioner for securing regular bail. The first one bearing no. CRM-M-4125-2024 was dismissed on 30.08.2024. However, keeping in view the entirety of facts and circumstance of the case in hand especially keeping in view the extended custody and pace of trial, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in **CRA-S-2332-2023** titled as ***Rafiq Khan versus State of Haryana and another***; relevant whereof reads as under:

“10. As an epilogue to the above discussion, the following principles emerge:

I Second/ successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II. Such second/ successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III For the second/ successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/ successive bail plea(s) ought not be abstracted into literal iterations of

petition(s) without substantial, effective and consequential change in circumstances.

IV No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).

V In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.”

6.2. Further, as per custody certificate dated 12.01.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 02 years, 05 months and 3 days & is stated to be shown in one more case. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. In view of the above, the petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

**(SUMEET GOEL)
JUDGE**

January 13, 2026

Naveen

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