



CRM-M-4986 of 2025

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

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**CRM-M-4986 of 2025
Date of Decision: 21.08.2025**

Harpreet Singh @ Heera Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Balbir Kumar Saini, Advocate
for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.05 dated 12.01.2022 registered under Sections 302, 427, 148, 149 and 120-B of IPC and Sections 25/27 of the Arms Act, at Police Station Nathana, District Bathinda.
2. Brief facts of the present case are that as per case of the prosecution, the petitioner along with co-accused namely, Lovepreet Singh @ Labhi, had supplied the weapon of offence to other co-accused Harjeet Singh alias Harry, who thereafter murdered two persons namely, Manpreet Singh @ Challa and Manpreet Singh @ Vicky with the said weapon.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that neither the petitioner was named in the FIR nor any suspicion was raised by



the complainant qua his involvement in the alleged occurrence. The petitioner has no concern with the co-accused and the persons who had allegedly murdered Manpreet Singh @ Challa and Manpreet Singh @ Vicky.

4. Learned counsel for the petitioner has argued that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Baljinder Singh. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of co-accused during his custodial interrogation is not admissible. It has also been submitted that similarly placed co-accused Lovepreet Singh @ Labhi has already been granted the concession of regular bail by a Coordinate Bench of this Court, vide order dated 08.01.2025. The petitioner is in custody since 23.12.2022. He further submits that the trial may take quite a long time to conclude and no useful purpose would be served by keeping him behind the bars. There are no chances of his absconding, therefore, it is urged that the petition deserves to be allowed.

5. Notice of motion.

6. Learned State counsel who has appeared on advance notice of the petition, filed the custody certificate of the petitioner and the same is taken on record. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature and he had provided weapon of offence to the main accused. He further submits that the petitioner is also involved in multiple other cases meaning thereby he is a habitual offender.



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7. Having heard learned counsel for the parties at length and after perusing the record of the case, particularly the fact that the petitioner is in custody for the last more than 02 years and 07 months and further, the trial may take a long time to conclude no useful purpose would be served by detaining him in further custody.

8. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

9. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.***

10. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while

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deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

11 In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

12. The present petition is disposed off accordingly.

21.08.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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