



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

222

CRM-M-7203-2025 (O&M)
Date of decision: 01.05.2025

Jagmeet Singh @ Meeta

....Petitioner

Versus

The State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. V.S. Mand, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Rana Gurtej Singh, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition filed under Section 483 of the BNSS, 2023, is for grant of regular bail to the petitioner in FIR No.41 dated 18.04.2024 registered under Sections 302, 34 IPC at Police Station Kabarwala, District Sri Muktsar Sahib.

2. As per the allegations in the FIR, Kirandeep Kaur, a resident of Fidoklan, gave a statement to the police on 18.04.2024, alleging that her brother Jaskaur Singh alias Soni, who was married to Kuldeep Kaur, was murdered by Kuldeep Kaur and her friend Jagmeet Singh, a resident of Dhippawali. Kirandeep Kaur stated that Jaskaur Singh had divorced his first wife and married Kuldeep Kaur about 12 years ago, but their relationship was strained, and they had no children. According to Kirandeep Kaur, her brother had repeatedly expressed



concerns about Kuldeep Kaur's affair with Jagmeet Singh and even feared they might kill him. A few days before his death, Jaskaur Singh allegedly told her that Kuldeep Kaur and Jagmeet might harm him. After the death of Jaskaur Singh, Kirandeep Kaur along with her husband made inquiries and came to know that her brother Jaskaur Singh was murdered by her sister-in-law Kuldeep Kaur and her friend Jagmeet Singh.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. Initially, after the death of deceased Jaskaur Singh, no apprehension or suspicion was there as the deceased had not suffered any injuries and proceedings under Section 174 of Cr.P.C., were completed and thereafter, after one day, the FIR (supra) was registered. Further as per the case set up by the prosecution, the complainant herself has admitted that her deceased brother was a drug addict. The post-mortem report does not indicate that the deceased has suffered any injury which could remotely suggest that it is a homicidal death. Further, learned counsel for the petitioner relies upon the chemical examiner report (Annexure P-2) and submits that Morphine was detected in the internal organs of the deceased and as such, there is no conclusive or concrete evidence that the deceased has not died a natural death and further, there is no opinion given by any doctor that the deceased had died due to drug overdose. The petitioner has suffered the incarceration of more than 01 year.



4. Learned counsel for the petitioner further submits that there are total 25 prosecution witnesses cited in the list of witnesses, out of which, 01 PW has been examined till date and the trial is likely to take long time in conclusion.

5. *Per contra*, learned State counsel has filed custody certificate today in the Court which is taken on record and he opposes the prayer made by learned counsel for the petitioner on the ground that the petitioner has forcibly administered Morphine to the deceased and he had died on account of drug overdose and the petitioner is involved in other cases also, however, he could not controvert the fact that there is no clear medical opinion available on record confirming that the death of deceased was caused by a drug overdose given by the petitioner.

6. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is behind the bars from the last more than 01 year. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. Charges were framed and trial of the case has not made much progress. Out of 25 prosecution witnesses, 01 PW has been examined so far.

7. A two Judge Bench of Hon'ble Supreme Court in ***"Satender Kumar Antil vs. CBI"***, (2022) 10 SCC 51, with respect to prevailing conditions of undertrial prisoner in India has observed:



“6. Jails in India are flooded with undertrial prisoners. The statistics placed before us would indicate that more than 2/3rd of the inmates of the prisons constitute undertrial prisoners. Of this category of prisoners, majority may not even be required to be arrested despite registration of a cognizable offence, being charged with offences punishable for seven years or less. They are not only poor and illiterate but also would include women. Thus, there is a culture of offence being inherited by many of them. As observed by this Court, it certainly exhibits the mindset, a vestige of colonial India, on the part of the investigating agency, notwithstanding the fact arrest is a draconian measure resulting in curtailment of liberty, and thus to be used sparingly. In a democracy, there can never be an impression that it is a police State as both are conceptually opposite to each other.”

8. Further the culpability, if any, would be determined at the time of trial and as such, no useful purpose will be served by further detention of the petitioner-accused. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

9. Further keeping in view the law laid down by the Hon’ble Supreme Court of India in **“Prabhakar Tewari vs. State of U.P. and another”** 2020 (1) R.C.R. (Criminal 831) and **“Maulana Mohd. Amir Rashadi vs. State of U.P. and another”**, 2012 (2) SCC 382, the involvement of the petitioner in other cases would not be a ground to refuse grant of concession of regular bail.



10. In view the discussion above, the present petition is allowed. Accordingly, without commenting upon the merits of the case, the petitioner namely Jagmeet Singh @ Meeta is ordered to be released on regular bail during pendency of the trial, on furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

11. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

(HARPREET SINGH BRAR)
JUDGE

01.05.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No