



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

CRM-M-40620-2024

Date of decision : 27.08.2025

Jaswinder Singh alias Happy

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This is second petition filed by the petitioner under Section 439 Cr.P.C., for grant of regular bail in FIR No. 01 dated 02.01.2020 under Sections 307/148/149 IPC (Sections 302/212/323/119/109 IPC being added later on and Section 212 IPC being deleted subsequently) registered at Police Station Ranjit Avenue, District Amritsar.

2. The first petition, i.e. CRM-M-59509-2022, was dismissed as withdrawn vide order dated 06.02.2024 (Annexure P-1).

3. Learned counsel for the State of Punjab has filed custody certificate of the petitioner – accused, which is taken on record.

4. The petitioner – accused is in custody since 14.01.2020 and is alleged with murder. The allegation is of causing head injury to the deceased with the aid of baseball bat, which was recovered from the petitioner.



5. It is not disputed at the Bar by learned counsel for the rival parties that out of 34 enlisted witnesses, five, including all the eye witnesses and main witnesses, have been examined by the prosecution. Therefore, release of the petitioner on bail shall not be at the risk of influencing the prosecution story.

5.1 More so, the petitioner has three other offences, including one of murder, registered against him, constituting his criminal antecedents. However, learned counsel for the petitioner, while producing certified copy of order dated 19.07.2021 passed by learned Sub Divisional Judicial Magistrate, Patti, submits that in the murder case, the petitioner has been discharged/acquitted. The order dated 19.07.2021 is taken on record as Annexure 'X'.

6. In view of above, looking to the period of prolonged under-trial custody of more than 5 years and 7 months, this Court is inclined to grant regular bail to the petitioner, but with stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail subject to his furnishing bail bond in the sum of Rs. 1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the trial court/Duty Magistrate and subject to the conditions stipulated in Section 480 (3) Bharatiya Nagrik Suraksha Sanhita, 2023 [equivalent to Section 437 (3) Cr.P.C.], as well as the following conditions :-

- (i) the petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the trial court within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of bail of the petitioner; and



(ii) the petitioner shall mark his attendance in the trial court once in fortnight.

8. The petition stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

August 27, 2025
narotam

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