



CRM-M-40731-2025

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

CRM-M-40731-2025

Date of Decision: 29.09.2025

Jasvir Singh @ Jassa

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. P.S. Sekhon, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.131 dated 16.07.2022 under Sections 302, 341, 506, 34, 120-B IPC, registered at Police Station Lehra, District Sangrur.

2. Succinctly, the facts of the case are that FIR in the present case was lodged on the statement of Makhan Singh. It was alleged that his brother Gurdeep Singh had left his home on 15.07.2022 at around 05:30 PM on his motorcycle for the paddy fields. However, on 16.07.2022, when the complainant was going on tractor in the morning through his fields, he saw number of people gathered there. People standing there told him that they found the motorcycle and dead body of his brother deceased -Gurdeep Singh lying there. He saw that his brother had suffered severe injuries on his back of his neck, head, stomach and other parts of the body with sharp edged weapons. It was alleged that during the election of the Sarpanch of the Village, his brother Gurdeep Singh had heated arguments with Jasvir Singh (petitioner) and Jarnail Singh and thus they had a grudge against his brother Gurdeep Singh. Because of the same, his brother had been murdered by



Jasvir Singh, Jarnail Singh and unknown persons in conspiracy with each other. The matter was reported to the Police to take the legal action against the accused. On registration of the FIR, the investigation commenced. During investigation, the complicity of the petitioner surfaced and thus he was arrayed as an accused and arrested on 17.07.2022. He approached the learned Additional Sessions Judge, Sangrur praying for the grant of bail. However, after hearing both the sides, the same was declined vide order dated 19.03.2024. Hence aggrieved, the petitioner has approached this Court by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Jarnail Singh @ Jaila. He has drawn the attention of this Court to the order dated 14.05.2025 passed in **CRM-M-19205-2024**, whereby, co-accused Jarnail Singh @ Jaila has been granted regular bail by this Court. He has submitted that case of the prosecution is based on the circumstantial evidence. He submits that the evidence produced by the prosecution against the petitioner is a joint confession of the petitioner alongwith co-accused before one Bhupinder Singh, who is admittedly relative of the deceased and thus, the same cannot be relied upon. He submits that the petitioner is behind bars from the last more than three years, but till date there is no material progress in the trial. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has vehemently opposed the submissions



made by counsel for the petitioner. He has submitted that the petitioner has played an active role alongwith the co-accused in the commission of offence. He submits that during the investigation, complicity of the petitioner established and mobile of the deceased was recovered from the petitioner. However, he acknowledges that the co-accused has been granted bail by this Court. On instructions, he has submitted that out of total 29 prosecution witnesses, 21 witnesses remain to be examined. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on circumstantial evidence. Similarly situated co-accused, namely, Jarnail Singh @ Jaila has been granted bail by this Court. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 03 years, 02 months and 08 days as on 28.09.2025. It further shows that the petitioner has no criminal antecedents. Out of total 29 prosecution witnesses, 21 witnesses remain to be examined.

6. The trial of the case is likely to take sufficient time. Speedy trial is the right of every accused. The Hon'ble Supreme Court in **Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695** has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to



public confidence in the administration of justice.”

7. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

29.09.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No