

**CRA-S-2504-2025 (O&M)****-1-****253 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRA-S-2504-2025 (O&M)  
Date of decision: 01.12.2025****JASPREET SINGH @ JASSA****...APPELLANT****VERSUS****STATE OF PUNJAB AND ANR.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Prateek Pandit, Advocate for the appellant.

Mr. Amit Kumar Goyal, DAG, Punjab.

Mr. Davinder Singh Dadwal, Advocate for respondent No.2.

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**RAJESH BHARDWAJ, J. (ORAL)****CRM-31961-2025**

This application has been filed by the applicant/appellant under Section 5 of Limitation Act for condonation of delay of 117 days in filing of the appeal.

For the reasons mentioned in the application, the same is allowed and a delay of 117 days for filing the present appeal is condoned.

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Allowed as prayed for.

**Main case**

1. The present appeal has been filed by the appellant under Section 14-A of the SC/ST Act, 1989, seeking regular bail in FIR No.119 dated

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115(2) of the BNS, 2023 (with offences under Sections 140(1) and 115 added later), and Section 3 of the SC/ST Act (added later), at Police Station Kartarpur, District Jalandhar (Rural). The appeal challenges the order dated 16.01.2025 passed by the learned Additional Sessions Judge, Jalandhar, whereby the appellant's application for regular bail was dismissed.

2. Succinctly the facts of the case are that FIR was lodged on the statement of the complainant Baljinder Singh, it was alleged that on 08.09.2024, they were raising their boundary wall, for which masons and labourers were engaged. At about 02:00 PM, Gurpreet Singh came to the plot and started demolishing the boundary wall. However, the complainant made him understand and he went away but thereafter at about 04:00 PM the complainant, along with his son Amandeep Singh and a mason, was travelling on his Activa scooter towards their village, Kala Bahian, to drop the mason. When they reached near the house of Darshan Singh in the village, 4–5 motorcycle riders, namely, Joginder Singh, Gurpreet Singh, Harpreet Singh, Sonu, Ranjit Singh @ Rana, Sewa, Harpreet Singh @ Happy Nai (Barber), and Jaspreet Singh @ Jassa (the present appellant) along with 6–7 unknown persons, came there and they all surrounded them and opened attack with the iron datars on them. The labourers who were sitting pillion, were also inflicted injuries. In this incident, one of the labourers died on the spot. Complainant, his son Amandeep Singh, Keshav as well as other labourers were taken to hospital, however, a labourer succumbed to his injuries during the treatment. The request was made to take legal action against the accused persons. FIR got registered and investigation commenced. Postmortem report of the dead body was conducted, the complainant and the other injured were also medico legally examined. During the investigation, the appellant was arrested on 09.09.2024.

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On completion of the investigation, the challan was presented and on framing of charges, trial commenced. He approached the learned Additional Sessions Judge, Jalandhar for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jalandhar declined the bail application vide order dated 16.01.2025. Aggrieved by the same, appellant is before this Court praying for the grant of bail by way of filing the present appeal.

3. Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case. It is argued that the appellant has been named only as part of the unlawful assembly, and no specific overt act has been attributed to him. Counsel further submits that out of all the co-accused named in the FIR, three co-accused have already been declared innocent. The Investigating Agency also concluded that the appellant did not actively participated in the occurrence rather he had merely helped the prime accused, namely, Joginder Singh and Harpreet Singh who escaped from the spot by giving them Rs.1,000/- cash. He further submits that appellant has no criminal antecedents and he is behind bars since 09.09.2024. He further submits that the complainant has also been examined. Thus, He further submits that in the facts and circumstances, the appellant deserves to be granted regular bail.

4. Learned State counsel has opposed the bail application on the ground that appellant was not only part of unlawful assembly but also actively participated in the occurrence. He further submits that appellant also helped the main accused, namely, Joginder Singh and Harpreet Singh in escaping them from the place of occurrence. On instructions from ASI Bhod Raj, he further submits that out of 28 prosecution witnesses, only 4 have been examined till date. He has produced custody certificate of the appellant today in the Court

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and the same is taken on record. The investigation of the case has been completed and challan was presented.

5. Learned counsel for the complainant has also opposed the bail application on the ground that during investigation, the co-accused have specifically confessed the complicity of the appellant. He further submits that the appellant not only participated but also played an active role.

6. Heard.

7. On hearing learned counsel for the parties and perusing the record, it is deciphered that FIR was lodged on the basis of the statement of the complainant, namely, Baljinder Singh. The appellant had been named in the FIR to be a part of the unlawful assembly. The Investigation Agencies have concluded their investigation, submitted that the appellant had helped the main accused, namely, Joginder Singh and Hapreet Singh in escaping from the place of occurrence. Custody certificate produced would show that the appellant has completed incarceration of 01 year, 02 months and 18 days as on 01.12.2025 and he is not involved in any other case except the present one. Out of 28 prosecution witnesses, only 04 have been examined so far.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

9. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the appellant succeeds in making out a case for grant of regular bail. Accordingly, the present appeal is allowed. Appellant is ordered to be released on bail on his furnishing

bail/surety bonds to the satisfaction of the concerned Trial Court/Duty



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

01.12.2025  
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**(RAJESH BHARDWAJ)**  
**JUDGE**

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