



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

263

CRM-M-46073-2025

Date of decision: 22.12.2025

Jasbir Singh @ Jagdeep Singh @ Jass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Rahi Mehra, Advocate for the petitioner.

Mr. Gurdeep Singh, AAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 483 BNSS, petitioner, an accused in case bearing FIR No.11 dated 30.01.2025 registered against him, u/s 111(3), 113 (Section 109, 3(5) added later on) of BNS and Section 25(6), 25(7) of Arms Act, 1959 and Section 3, 4, 5, 6 of Explosive Substances Act, 1908 at Police Station Sirhali, District Tarn Taran, has prayed for grant of bail.

2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

On 30.01.2025, a secret information was received by Inspector Sukhdev Singh, that Robinjeet Singh @ Robin, Yuvraj Singh @ Jaggu, Karan Singh @ Kala, Jasdeep Singh @ Jass (P), Harpreet Singh @ Happy, Ajay @ Tunda, Navjot Singh @ Nav, Gurdev Singh @ Jaissal, Satbir Singh @ Satnam Singh @ Satta, Sahib Singh @ Saba, had formed a gang and were involved in criminal activities, that these people had procured illegal weapons from Pakistan and were extorting money from public, as also that they were involved in multiple cases of snatching and murder etc, further that in case, Naka is laid at the disclosed place, all the above mentioned persons can be apprehended. Relying upon the said information, police laid barricades at the relevant place, when after sometime, they saw



a car bearing registration No. PB-11BY-8656 coming from opposite direction. The driver was signaled to stop the car, but he hit into one of the members of the police team and also opened fire at them. The other person who was sitting on the passenger's seat also tried to run away. So as to protect the police personnel, ASI Kanwarpal Singh returned fire, which hit on the right foot of the assailant, who fell down. Finally, both the persons inside the car were apprehended. Upon questioning, they introduced themselves as Robinjeet Singh alias Robin son of Late Satnam Singh and Harpreet Singh @ Happy son of Sukhdev Singh. As per the case set up by the prosecution, one 30 bore pistol along with 18 live cartridges and two hand grenades were recovered from the car. Hand grenades were deactivated and were seized as per the procedure.

Petitioner-accused was arrested on 31.01.2025. Admittedly, nothing was recovered at his instance.

3. Petitioner/accused moved an application for grant of bail before the learned Additional Sessions Judge, Tarn Taran. The same was dismissed vide order dated 05.08.2025. Aggrieved of the said order, the present petition has been filed.

4. Learned counsel for the petitioner submits that petitioner has raised manifold submissions. Firstly, that the petitioner, a young boy who was picked up from home, has been falsely implicated in the present case. Secondly, name of the petitioner cropped up only in the disclosure statements of one of the accused, which in absence of recovery of any incriminating material at his (P) instance is inadmissible.

It is further the submission of learned counsel that investigations qua the petitioner are complete, for challan has been filed but since none of prosecution witnesses have been examined, thus, possibility of completion of trial in the near future is quite remote. In the light of



submissions advanced hereinabove, learned counsel prays that petitioner, who has been in custody since 31.01.2025, deserves a lenient view to be taken in his favour by extending him the concession of bail, for his further incarceration would not serve any useful purpose. Prayer for allowing the petition has been made.

5. Status report by way of an affidavit of Mr. Jagjit Singh, PPS, Deputy Superintendent of Police, Tarn Taran has been placed on record. Learned State counsel has opposed the request for grant of bail on the ground that petitioner along with his accomplice are all involved in illegally importing arms and ammunition from Pakistan. They all have formed a gang and are habitual of demanding ransom from the traders and well known persons settled in Punjab. They are involved in criminal activities and linked with Canada based gangsters. Continuing further, learned State counsel submits that in view of seriousness and gravity of offence, long custody of the petitioner by itself cannot be ground to grant him the concession of bail, for if released on bail, there is every likelihood of petitioner fleeing from process of justice by not appearing in the Court, of indulging in extortion etc. Dismissal of the petition has been prayed for.

6. Both the counsel have been heard and documents on record have been perused.

7. Factual aspects of the case leading to the arrest of the petitioner have already been noticed hereinabove. Admittedly, the petitioner was not caught at the site, his name cropped up in the disclosure statements of one of the accused. It has not been denied that pursuant to his arrest nothing was recovered at his instance. Simply because he is involved in another case bearing FIR No.70 dated 14.06.2024 u/s 387/506/120-B IPC, which is still being investigated, cannot be a ground in the factual scenario of the case to deny the concession of bail to the petitioner. Further, on a query raised by this Court as to whether investigating agencies have any incriminating



material in support of allegation that petitioner is associated with Canada based gangsters, no reply is forthcoming.

In view of the submissions raised by learned counsel for the petitioner, but without advertng to merits of the case as also taking note of the fact that petitioner has been in custody since 31.01.2025 and none of prosecution witnesses have been examined till date, the Court is of the opinion that no useful purpose would be served by further detention of the petitioner, as the same, without the prospect of trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India, including right to speedy trial and would, thus, also be against the principle of "*Bail is a general rule and incarceration is an exception*" as held by Hon'ble Supreme Court in ***Dataram vs. State of Uttar Pradesh and another, 2018(2) R.C.R. (Criminal) 131.***

In ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012(1) RCR (Criminal) 586***, Hon'ble Supreme Court upheld the order of the High Court in granting bail to the second respondent/accused on the ground that he had been in custody for a long period and the possibility of the trial being concluded in the near future was remote.

Resultantly, petitioner is granted the concession of bail subject to his furnishing bail/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. The petitioner shall abide by the following conditions:-

- (i) *The petitioner shall not leave the country without prior permission of the trial Court and shall deposit the passport in the trial Court.*
- (ii) *The petitioner will not tamper with the evidence during the trial.*
- (iii) *The petitioner will not pressurize/ intimidate the prosecution witnesses.*
- (iv) *The petitioner will appear before the trial Court on each*



and every date fixed, unless is exempted by a specific order of Court.

(v) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.

(vi) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

(vii) The petitioner shall not in any manner misuse his liberty.

(viii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.

(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. Accordingly, the present petition is allowed and it is made clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AARADHNA SAWHNEY)
JUDGE

22.12.2025

Hemant

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