



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

CRM-M-50922-2025
Date of decision: 16.09.2025

JASVIR SINGH ALIAS JATT

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Gurmehar Singh Minhas, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.161 dated 05.08.2024 under Sections 109(1), 190, 191, 115(1), 249 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS, 2023') and 25 and 27 of Arms Act, 1959 registered at Police Station Division No.8, Jalandhar.

2. Learned counsel for the petitioner contended that no specific role has been attributed to the petitioner; he is nominated in this case only on the basis of disclosure statement of co-accused namely, Gurinder Singh @ Gagan Khaira, which is inadmissible in evidence. Further, aforementioned co-accused has been granted the concession of regular bail by this Court in case bearing **CRM-M No.48723 of 2024** titled as **Gurinder Singh @ Gagan Khaira vs. State of Punjab** vide order dated 07.05.2025; petitioner is in custody for more than 01 year; the trial will take sufficient time to conclude. As such, learned counsel prayed for grant of bail to the petitioner.

3. Notice of motion.



4. Mr. Sandeep Kumar, DAG, Punjab, accepted the notice on behalf of the respondent-State and produced the custody certificate of the petitioner, which is taken on record. Mr. Pushp Jain, Advocate has put in appearance on behalf of the complainant and filed his memo of appearance. Learned State counsel assisted by learned counsel for the complainant vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that the petitioner was armed with *datter* and has actively participated in the commission of offence as he is visible in the CCTV footage. Further, the complainant suffered injury on his wrist in the alleged incident. Furthermore, the petitioner is involved in two more cases, out of which, one is under the NDPS Act and the another is under the provisions of Indian Penal Code.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the fact that co-accused, namely, Gurinder Singh @ Gagan Khaira, has been granted the concession of regular bail by a Co-ordinate Bench of this Court in case bearing **CRM-M No.48723 of 2024** titled as ***Gurinder Singh @ Gagan Khaira vs. State of Punjab*** vide order dated 07.05.2025 and the case of the petitioner is on same footing with the co-accused, Gurinder Singh @ Gagan Khaira; petitioner is in custody since 14.08.2024 i.e for the last more than one year; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. 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.

September 16, 2025
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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |