



CRM-M-52656 of 2025

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

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CRM-M-52656 of 2025
Date of Decision: 23.09.2025

Jaspreet Singh @ Jassu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. G.S. Minhas, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.188 dated 27.06.2017 registered under Sections 379-B, 212, 216, 420 and 482 of IPC, Sections 15, 18, 20, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25/27 of the Arms Act, at Police Station Nakodar Sadar, District Jalandhar.

2. Learned counsel for the petitioner contends that the present FIR was registered on 27.06.2017 and he was granted the concession of regular bail by the trial Court, vide order dated 14.09.2017. The petitioner continued to appear regularly before the trial Court on each and every date, however, on 04.06.2022, the petitioner could not appear before the trial Court because he noted wrong date of hearing. Consequently, his bail was

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cancelled and he was ordered to be summoned through non-bailable warrants. He further argued that the petitioner was declared proclaimed offender on 27.10.2022. Later on, the petitioner was arrested in some other case on 07.06.2024 and was granted bail in that case by a Co-ordinate Bench of this Court, vide order dated 31.07.2025. The petitioner was again arrested in the present case on 24.07.2025 and since then, he is in judicial custody. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

3. Notice of motion.

4. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 4½ months. No useful purpose would be served by detaining the petitioner in further custody as the trial may take a long time to conclude. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement

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of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

23.09.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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