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

CRM-M-54389-2025

Date of decision : 09.12.2025

Harbhinder Singh @ Chhinda**....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed for grant of regular bail in case FIR No.52 dated 07.08.2022 under Sections 304 & 34 of IPC and Section 27 of NDPS Act, registered at Police Station Sadar Rampura, Bathinda.
2. Succinctly the facts of the case are that the present FIR was lodged on the statement of complaint, namely, Rani Kaur. It was alleged that her son Manpreet Singh was having friendship with Amandeep Singh, Jaspreet Singh and Chhinda Singh (petitioner) and that all four of them used to stay together and were addicted to intoxicants. It was alleged that although the complainant used to advice her son to stay away from the aforesaid friends, but her son did not listen to her. It was alleged that on 06.08.2022 Amandeep Singh, Jaspreet Singh and Chhinda Singh came to her residence and took away her son along with them but her son did not return back home. It was alleged that later Amandeep Singh and Jaspreet Singh brought back complainant's son on a motorcycle who was in an



unconscious state who told her that they met with an accident and that Manpreet Singh had sustained injuries. Since blood was oozing out from the nose of Manpreet Singh, he was taken to hospital, where he was declared dead. Thus, the request was made to take legal action against the culprits. On registration of FIR, investigation commenced and the petitioner was arrested on 07.08.2022. On completion of investigation, challan was presented. On framing of charges, the trial commenced. The petitioner approached the learned Additional Sessions Judge, Bathinda, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 02.07.2024. Aggrieved by the same, petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused. He has drawn the attention of this Court to the orders dated 27.04.2023 and 31.01.2024 passed by this Court in **CRM-M-19713-2023** and **CRM-M-56035-2023**, respectively, whereby co-accused of the petitioner, namely, Amandeep Singh @ Amna and Jaspreet Singh @ Jassi, have been granted the concession of bail. He has submitted that case of the petitioner is at par with that of the co-accused, who have been granted bail by this Court. He submits that on the basis of the parity, petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner. However, he endorsed the fact that case of the petitioner is at parity with that of co-accused, namely, Amandeep Singh @ Amna and Jaspreet Singh @ Jassi, who have



been granted bail by this Court. He has placed on record the custody certificate of the petitioner.

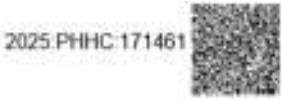
5. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest. Admittedly, co-accused of the petitioner, namely, Amandeep Singh @ Amna and Jaspreet Singh @ Jassi, have already been granted bail by this Court vide orders dated 27.04.2023 and 31.01.2024 passed by this Court in **CRM-M-19712-2023** and **CRM-M-56035-2023**, respectively. As per custody certificate, the petitioner has suffered an incarceration of 03 years, 03 months and 28 days as on 08.12.2025. It further reflects that the petitioner is involved in 01 more case, however, he is on bail in the same. Needless to say that every accused has a fundamental right of speedy trial.

6. 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.

7. 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.”

8. 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 Constitu-
tion of India.

9. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, 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 on the basis of parity.

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

09.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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