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

CRM-M-64889-2025

Date of Decision: 21.11.2025

Sonu Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Inderpreet Singh Kooner, Advocate
for the petitioner.

Ms. Simran Gorla, A.A.G., Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.0154 dated 16.05.2023 under Sections 302, 120-B of IPC (Sections 148, 149 and 201 IPC were added lateron) registered at Police Station Tripuri Patiala (wrongly mentioned as P.S. Tripri Patiala), District Patiala.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of Shish Pal Singh son of Gurdial Singh. It was alleged that the complainant was running a Barber shop. His son Gurpreet @ Monu, aged 25 years also worked as a Barber. His son Gurpreet @ Monu had performed love marriage with Archana about 4-5 years ago. On 15.05.2023, the complainant met with his son and left for his village in District Kaithal. His son Gurpreet @ Monu had told him that some anti social elements including Nimish, Yash @ Jodha, Karan Sandhu, Mani Cheema, Irshit @ Jogi, Harsh, Monu, Sonu (present petitioner) Malkeet @



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Chitta, Jashan and 2-3 unknown boys were threatening him from last few days. When the complainant reached his father-in-law's house, his wife got a call that Jogi, Karan Sandhu, Jashan alongwith 10-12 persons had inflicted injuries to their son Gurpreet @ Monu and killed him. It was alleged that these persons were nurturing grudge against his son since long and thus, he was killed by the accused. Hence, request was made to take legal action against the accused persons. On registration of FIR, investigation commenced. Challan was presented and on framing of charges, trial commenced. The petitioner was arrested on 16.10.2023. He approached the Court of learned Additional Sessions Judge, Patiala praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 15.09.2025. Hence, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Yash Vaid @ Yodha and Nimish @ Jashan. He has drawn the attention of this Court to the common order dated 04.11.2025, passed in **CRM-M-28348-2024 and CRM-M-56382-2024**, whereby, co-accused Yash Vaid @ Yodha and Nimish @ Jashan have been granted regular bail by this Court. He submits that the petitioner is behind bars since the date of his arrest. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who have already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail



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to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Yash Vaid @ Yodha and Nimish @ Jashan. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest. Co-accused, namely, Yash Vaid @ Yodha and Nimish @ Jashan, are on bail and the case of the petitioner as stated is at par with them. Custody certificate of the petitioner would reveal that the petitioner has suffered an incarceration of 02 years, 01 month & 02 days as on 20.11.2025. It further reveals that the petitioner is involved in 02 other cases. Needless to say that speedy trial is the fundamental right of every accused.

6. The veracity of the allegations would be assessed only after 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,**



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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 Constitution of India.

9. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity. 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 Court/Duty Magistrate.

10. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

(RAJESH BHARDWAJ)
JUDGE

21.11.2025

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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No