



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

Sr.No.246

**CRM-M-10969-2026
Decided on : 27.03.2026**

Amandeep Singh alias Aman alias Lambar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Meher Sachdev, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab
for the respondent-State.

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.94 dated 19.12.2023 registered under Sections 307, 341, 323, 324, 506, 148 and 149 of IPC (Sections 325, 326 and 201 of IPC added later on), at Police Station Nurmahal, District Jalandhar Rural.
2. Brief facts as per the prosecution case are that the petitioner along with co-accused brutally attacked the complainant and caused injuries to him with an intention to kill him. Hence, the present FIR.
3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he has no



place on 12.12.2023 but the FIR in question was registered on 19.12.2023 i.e. after an unexplained delay of 07 days, casting serious doubt on the prosecution story. Learned counsel contends that if the contents of the FIR are taken to be true, even then no overt act has been attributed to the present petitioner. He further contends that the petitioner was roped in the present case only on the basis of suspicion without any concrete evidence. He contends that Section 109 of BNS was added by the prosecution only to make the offence graver. He further contends that on the date of occurrence, the petitioner was present in the office of Joint Sub Registrar at Tehsil office till 6:00 p.m. and the occurrence took place at 5:30 p.m. which makes the prosecution story highly improbable. He contends that co-accused Satvir Singh alias Satvir Singh Johal alias Satti has already been granted the concession of regular bail by this Court vide order dated 13.03.2026, passed in CRM-M-10564-2026. No recovery is to be effected from him. The petitioner is in custody since 03.03.2024. Moreover, the petitioner has clean antecedents. The investigation in the case is complete, challan stands presented; charges have been framed and out of 25 prosecution witnesses, none has been examined till date, as such the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel 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. However, he has not controverted the fact that the petitioner is the first time offender as he is not involved in any other case.



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 02 years and 21 days; co-accused has already been granted the concession of regular bail by this Court; the petitioner has clean antecedents; investigation is complete; challan stands presented; charges have been framed; out of 25 prosecution witnesses, none has been examined till date; the complicity of the petitioner is a matter of trial which is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention 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.

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 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. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

8. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under



Article 21 of the Constitution of India on the following decision:- *Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.*

9. 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.

27.03.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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