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CRM-M-11210-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11210-2026

Date of decision: 29.04.2026

DAVINDER SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. M.S. Dhaliwal, Advocate for the petitioner.

Ms. Aiman J. Chisti, AAG Punjab.

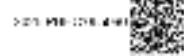
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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.173 dated 30.07.2025 registered under Sections 103, 190, 191(3), 324(4) BNS, 2023, at Police Station Jagraon, District Ludhiana (Rural).

2. Brief facts of the present case as per the prosecution are that the petitioner along with co-accused persons burnt the car of the complainant's son namely Jaskirat Singh and inflicted injuries upon him resulting into his death. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as he is the father of the main accused persons. He further contends that the petitioner was initially not named in the FIR and initially two persons were named who happens



named all the family members of the petitioner. He submits that the even if the contents of the FIR are taken to be true the only role attributed to the petitioner is that he had asked about the whereabouts of the deceased on the day of alleged occurrence. Petitioner has clean antecedents as he is not involved in any other case. He further contends that the petitioner is a senior citizen of more than 65 years of age and suffering from various medical ailments and has even underwent bypass surgery of heart due to which his condition in jail is getting worse and he is on regular medication and under supervision of doctor. To support his contention he has placed on record copy of his medical (Annexure P-2). The petitioner is in custody since 07.08.2025. He submits that challan has been presented, charges have been framed and out of 20 prosecution witnesses none has been examined, as such the trial may take quite a long time to conclude and no useful purpose would be served by keeping him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate of the petitioner. Status report has already been filed and she relying on the same has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the offence committed by the petitioner are serious in nature. However, she could not controvert the fact that the petitioner is a first time offender and 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, particularly the fact that the petitioner is in custody for the last more than 08 months; challan has been presented;



been examined and as such trial may take a long time to conclude no useful purpose would be served by detaining him in further custody.

6. 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.

7. 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.***

8. Reliance is also 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*



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.
10. The present petition is disposed off accordingly.

29.04.2026		(RUPINDERJIT CHAHAL)
puneet		JUDGE
i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No