



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

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**CRM-M No.13357 of 2026
Date of decision : 12.5.2026
Date of uploading : 13.5.2026**

Jaswinder Singh @ Jassu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.119 dated 20.8.2024 under Sections 103(1), 109, 191(3), 190, 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Anaj Mandi Patiala, District Patiala.
2. In brief the case of prosecution is that present case was registered on the basis of statement of complainant Harjinder Singh son of Gurbakhsh Singh, resident of village New Baran, Patiala, who stated that he is a labourer by occupation. On the night of 19.08.2024, at about 10 pm, there were numerous persons present in the house and on the terrace of the house of his neighbour, Harwinder Singh@ Bai s/o Gurpal Singh.

At that time, complainant's son, Bikramjit Singh (deceased) came back



home on his motorcycle and when he was about to enter the house, Parwinder Singh @ Pindi s/o Davinder Singh @ Kala r/o Village Baran, Patiala raised a Lalkara and told his son, Bikramjit Singh that “we will see you in the morning.” At which, Bikramjit Singh did not react or give any answer. When Bikramjit Singh again went out of the house to close the door, Harwinder Singh s/o Gurpal Singh pulled him into the street. When the complainant went to save his son, Bikramjit Singh, they also pulled him into the street and started beating them. Parwinder Singh attacked Bikramjit Singh with an Iron Takua and hit him directly in his head; due to which Bikramjit Singh fell to the ground. Then, Harwinder Singh hit Bikramjit Singh with a Danda on the left side of his face and on different parts of his body. Parwinder Singh hit Bikramjit Singh with Iron Takua three-four times in his head. Along with them, there were Gurpal Singh s/o Hardyal Singh r/o Village Baran, brother-in-law of Gurpal Singh (unknown), Jaswinder Singh @ Jassu s/o Davinder Singh @ Kala r/o Village Purani Baran, Rohit s/o Labh Singh, Kulwinder Kaur d/o Gurpal Singh and Anjali d/o Gurpal Singh both r/o Village Baran; they held Lathis and sticks in their hands with which they hit Bikramjit Singh multiple times while he was lying on the ground. When the complainant tried to save his son, Bikramjit Singh, the above mentioned persons along with 4-5 unknown person hit them with Lathis, sticks and Iron weapons held by them. Harwinder Singh hit on the head of the complainant with a Daang multiple times and Parwinder Singh hit the complainant with a sharp weapon on his arm and head. The complainant and his son,



Bikramjit Singh sustained serious injuries owing to the attack and due to the same, Bikramjit Singh died on the spot. When the above mentioned persons saw that Bikramjit Singh is critically injured, they fled from the spot on their respective vehicles while raising Lalkara's and threats. On hearing the hue and cry, neighbours came out of their houses and neighbours and family members of the complainant took the complainant and Bikramjit Singh to Rajindra Hospital, Patiala for treatment. Bikramjit Singh was declared dead in the emergency of the hospital. Dead body of Bikramjit Singh was taken for post-mortem to the mortuary of Rajindra Hospital, Patiala and the complainant was kept in the emergency ward of Rajindra Hospital for undergoing treatment. The complainant also stated that he can identify the said unknown persons if brought in front of him.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 11.9.2024. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner is shown to be a member of an unlawful assembly and allegedly given *sota* (stick) blow to the deceased but there is no specific attribution regarding the same. Learned counsel has further urged that the petitioner has suffered incarceration for more than 01 year and 7 months and is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed status report by way of affidavit of Jangjit Singh, PPS, Deputy Superintendent of Police, City-II, District Patiala, which is already on record. Raising submissions in tandem with



the said status report, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 11.5.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 11.9.2024 wherein after investigation was carried out; challan was prepared on 18.11.2024 and subsequently filed. Total 26 prosecution witnesses have been cited, out of which 01 witness has been partly examined till date. Further, an application has been filed under Section 319 of Cr.P.C. (Section 358 of BNS, 2023) for summoning of additional accused, which will further entail delay in culmination of trial. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in ***Criminal Appeal No.2787 of 2024*** titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

"19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an



accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”

The rival contentions raised at Bar give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 11.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 year, 7 months and 28 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.



- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.5.2026
Ashwanii

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