



CRM-M-20547-2026

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

CRM-M-20547-2026

Date of Decision: 06.05.2026

Saurav @ Gauri

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Bakshish Singh, Advocate and
Mr. Kulrattan Singh Nagra, Advocate, for the petitioner.
Mr. Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.104, dated 30.07.2023, under Sections 302, 307, 323, 324, 326, 120-B, 34 of IPC and sections 25, 29, 30 of Arms Act, registered at Police Station Adampur, District Jalandhar.
2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mahavir Singh. It was alleged that the complainant came out of the jail 15 days ago and was going to village Padhyana on his motorcycle. On the way, 3-4 boys met the complainant, who were already standing there and they were his co-prisoners when the complainant was in jail. Kulwant Singh threatened the complainant that he had attacked him while he was in jail and thus, they started causing injuries to him. Kulwant Singh fired shots at the complainant with his pistol, which hit on his right side of the chest and right arm bicep and Charanjot Singh @ Jot hit him with the sickle which hit on his arm as well as on forehead. Kulwant Singh again fired shot him with his pistol which hit on the right leg of the complainant. After causing injuries to the complainant, they all escaped from the place of occurrence along with their respective weapons. Thus, the request was made to take legal action against



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the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. Initially, the FIR was registered for the offence under Section 307 IPC, however, the complainant, Mahavir Singh subsequently succumbed to the injuries and died on 06.02.2024 and thus, the offence under Section 302 IPC was added. During investigation, complicity of the petitioner was surfaced and he was also arrayed as an accused in the present case. Resultantly, he was arrested on 02.08.2023. On completion of the investigation, the challan was presented and on framing of the charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, learned Court dismissed the bail application filed by the petitioner vide order dated 01.11.2025. Being aggrieved, the petitioner is before this Court praying for grant of regular bail 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, Charanjot Singh @ Jot. He has drawn the attention of this Court to the orders dated 23.03.2026 passed in **CRM-M-65134-2025**, whereby, co-accused Charanjot Singh @ Jot, has been granted regular bail by this Court. He submits that neither the petitioner was named in the FIR nor any overt act has been attributed to him. However, he had been arrayed as an accused on the basis of supplementary statement. He further submits that the petitioner is on better footing than that of the co-accused, Charanjot Singh @ Jot and thus, he submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar



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to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail 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, Charanjot Singh @ Jot. On instructions, he submits that out of total 32 prosecution witnesses, 02 witness has been examined till date. 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 was arrested in this case on 02.08.2023. Co-accused, namely, Charanjot Singh @ Jot is on bail and as stated before this Court, case of the petitioner is at par with that of the co-accused. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 02 years, 08 months & 14 days as on 22.04.2026. It further reflects that the petitioner is involved in three other cases, out of which in one case, he has been acquitted. Out of 32 prosecution witnesses, 02 witnesses have been examined.

6. As per law settled, speedy trial to the petitioner despite his involvement in multiple cases cannot be taken away. The trial of the case is likely to take sufficient time. Speedy trial is the right of every accused. 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



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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.”

7. 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 Constitution of India.

8. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, 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.

9. 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.

10. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

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

(RAJESH BHARDWAJ)
JUDGE

06.05.2026
sharmila

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