



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

CRM-M-26597-2026

Date of Decision: 15.05.2026

Sajan @ Ghai

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Navdeep Singh and
Mr. Jaininder Saini, Advocate and
Ms. Shilpa Saini, Advocate, for the petitioner.
Mr. Kuljinder Dhindsa, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. This petition has been filed under Section 483 of the BNSS, 2023 seeking the concession of regular bail for the petitioner in FIR No. 114 dated 23.10.2023 under Sections 302, 506, 148, 149 IPC registered at Police Station Bilga, District Jalandhar Rural

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mahinder Kaur. It was alleged that son of complainant, namely, Jagdeep Singh @ Jaggi, was 36 years of age and he was doing the business of farming/plumbing. It was alleged that on 19.10.2023, at about 05:00 P.M., the complainant was present at the house and in the meantime, Sajan @ Ghai (petitioner) and Gurpreet Singh @ Gopi came to her house. The complainant was alone at that time and thus, they threatened her and asked her to pacify her son, Jagdeep Singh, otherwise, they would teach him a lesson. It was alleged that on 22.10.2023, at about 08:30 P.M., the complainant came to know that some persons were given beatings to her son in the cremation ground. The complainant along with Harjinder Singh @ Raja went to the cremation ground and saw that Chandan Kumar @ Chandi armed with a wooden baseball bat, Gurpreet @ Gopi armed with the wooden shaft of the spade,



Sajan @ Ghai armed with the wooden stick, Jaskaran @ Bobby @ Daddu armed with wooden stick and Sahil @ Shelly was empty handed, gave beatings to her son. A friend of her son was trying to save him. It was alleged that Chandan Kumar @ Chandi gave a blow of wooden baseball bat to the son of complainant, which hit on his head and on account of the said blow, the son of complainant fell down. Thereafter, Gurpreet @ Gopi, Sajan Kumar @ Ghai and Jaskaran Singh @ Bobby @ Daddu gave sticks blows to the complainant. Sahil @ Shelly was kicking son of the complainant. Thereafter the accused fled away from the spot along with their respective weapons. The complainant along with Harjinder Singh @ Raja and Jagjit Singh @ Jaggi got admitted her son to the Manjit Hospital, Nurmahal for treatment, where the doctor declared him dead. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The petitioner was arrested on 23.10.2023. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, learend trial Court declined the bail application filed by both the petitioner vide order dated 17.04.2026. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

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, Jaskaran @ Bobby @ Daddu and Chandan @ Chandi @ Chanden. He has drawn the attention of this Court to the order dated



27.03.2026 passed in **CRM-M-67231-2026** and other another connected case, whereby, co-accused Jaskaran @ Bobby @ Daddu and Chandan @ Chandi @ Chanden, have been granted regular bail by this Court. 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 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, Jaskaran @ Bobby @ Daddu and Chandan @ Chandi @ Chanden. 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 23.10.2023. Co-accused, namely, Jaskaran @ Bobby @ Daddu and Chandan @ Chandi @ Chanden are 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, 06 months & 16 days as on 14.05.2026. It further reflects that the petitioner has no criminal antecedents.

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

(RAJESH BHARDWAJ)
JUDGE

15.05.2026
sharmila

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