



238

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

CRM-M No.27701 of 2026

Date of Decision: 21.05.2026

Ranjit Kumar @ Goga**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Namish Sodhi, Advocate
for the petitioner.

Mr. Raj Karan Singh, A.A.G., 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.1, dated 02.01.2023, under Sections 302, 379 and 34 of IPC (Section 397 and 34 of IPC added lateron), registered at Police Station City Banga, District SBS Nagar.
2. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of Mahinder Verma. It was alleged that on 02.01.2023, deceased, namely, Vinay Kumar Verma, who was working as a gas cylinder delivery person in Jakhu Gas Agency, had gone to supply gas cylinders. It was alleged that at about 5:15 p.m. Mukesh Kumar, who was also working at Jakhu Gas Agency, telephonically informed Ram Kishan Jakhu, that in the area of link road near the canal minor, some unknown persons had killed Vinay Kumar, after hitting on his head with sharp edged weapon. Thereafter, Ram Kishan Jakhu told the complainant about the said incident and thereupon, the complainant reached at the place of incident where Vinay Kumar was found dead and



there was a cut on the backside of his neck. Thus, request was made to take legal action against the culprits. On registration of FIR, investigation commenced. During investigation, complicity of the petitioner surfaced through CCTV footage and thus, he was also arrayed as an accused in the present FIR, Resultantly, the petitioner was arrested on 01.05.2023. On the completion of investigation, challan was presented and on framing of charges, the trial Court commenced with the trial. The petitioner approached the Court of Ld. Sessions Judge, S.B.S. Nagar for grant of bail, however, after hearing both the sides and finding no merits, application was declined by the trial Court vide order dated 01.04.2025. Aggrieved by the same, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that evidently, the case of the prosecution is based on circumstantial evidences, however, there is no credible evidence produced by the prosecution to prove the culpability of the petitioner. It has been contended that neither the petitioner had any enmity with the deceased nor there was any motive, however, he has been implicated in the present case only on the basis of one CCTV footage and from the CCTV footage as well, the identity of the petitioner is not proved. It has been contended that as per the case of the prosecution, the injuries have been attributed to the co-accused and not to the petitioner. He further submits that the prosecution has created one evidence of joint extra judicial confession of the petitioner and the co-accused before one Sodhi Lal, however, he has



appeared before the trial Court and had not supported the case of the prosecution. To buttress his arguments, he contends that petitioner has no criminal antecedents as he has never been involved in any other case. He submits that the petitioner is behind bars from last more than 03 years but prosecution is intentionally delaying the trial and thus, the fundamental right of the petitioner of speedy trial is miserably defeated. He submits that even otherwise all the material witnesses have already been examined and there is no probability of the petitioner influencing the prosecution witnesses. He thus, submits that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that from the CCTV footage, the identity of the petitioner is duly established. He submits that it is the petitioner along with co-accused, had taken the deceased under misconception to a remote place where, he was killed with a common intention. He submits that on the basis of the joint disclosure, the recoveries of weapons of offence and that of the blood stained clothes have been recovered. He, on instructions, has submitted that out of total 37 prosecution witnesses, 05 witnesses remains to be examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the case of prosecution is based on the circumstantial evidences. The petitioner has been alleged to be along with



the co-accused. The fatal blows have been attributed to the co-accused. The witness pertaining to the extra judicial confession of the petitioner and the co-accused, has not supported the case of the prosecution. The custody certificate produced would show that the petitioner has suffered incarceration of 03 years, 04 months and 14 days as on 20.05.2026. It further reflects that the petitioner has no criminal antecedents. Out of 37 prosecution witnesses, only 05 witnesses remains to be examined as on date, which would show that the material witnesses already stand examined.

7. 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.

8. 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.”

9. 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.



10. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

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

21.05.2026

ps-I

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No

(RAJESH BHARDWAJ)
JUDGE