



CRM-M-42710-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

132

CRM-M-42710-2025
Decided on : 16.03.2026

Jagmeet Singh alias Jaggi Bhalwan alias Jaggi

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Rajiv Kumar Saini, Advocate
for the petitioner(s).

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

Mr. Karanvir Singh Khehar, Amicus Curaie

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Jagmeet Singh alias Jaggi Bhalwan alias Jaggi	127	03.11.2023	353, 307, 186 IPC and Section 25 of Arms Act	Sadar, Batala	Batala

2. On 22.12.2025, the following was recorded :

1. Present petition has been filed by the petitioner, seeking grant of regular bail, in case, FIR No.127, dated 03.11.2023, under Sections 353, 307, 186 of IPC, 25

**CRM-M-42710-2025**

of Arms Act, registered at Police Station Sadar Batala, District Batala.

2. As per the allegations levelled in the FIR, one accused, namely Navneet Singh alias Nav, was required by the police in connection with FIR No.69 dated 28.10.2023, registered under Sections 336 IPC and 25 of the Arms Act at Police Station Kotli Surat Malian, was spotted while coming in a car. Upon noticing the police party, accused Navneet Singh alias Nav allegedly fired at the police officials. In retaliation, the police party also fired at him, as a result of which one of the shots hit his ankle. He was thereafter apprehended, hospitalized, and formally arrested on 08.11.2023.

3. Learned counsel for the petitioner submits that name of the petitioner does not figure in the FIR. He has been implicated in the present case solely on the basis of the disclosure statement of the main accused, Navneet Singh alias Nav, who allegedly disclosed during interrogation that pistol used in the incident had been procured from the petitioner.

4. It is further submitted that petitioner was already in judicial custody at the time of his implication in the present case. Counsel for the petitioner further submits that petitioner has been roped in the present case only to prevent his release from jail, particularly in view of the fact that he has been implicated as an accused in approximately two dozen cases.

5. Learned counsel refers to paragraph No.11 of the present petition, wherein details of 21 other criminal cases registered against the petitioner have been mentioned. Out of these, petitioner has already been acquitted in three cases, and in the majority of the remaining cases, he has been granted the concession of bail. Moreover, petitioner is inside jail for a period of about 1 year 9 months and 15 days.

Thus, counsel prays for grant of bail to the petitioner in the present case.

6. Learned State counsel has filed custody certificate dated 21.12.2025 in the Court today and the same is taken on record.

7. On the other hand, learned State counsel opposes the prayer of the petitioner and submits that petitioner is a habitual offender and is involved in several other criminal cases, a fact, which has also been acknowledged by learned counsel for the petitioner before this Court. Accordingly, he prays for dismissal of the present petition.

8. This Court has heard the submissions advanced by learned counsel for the parties and has perused the record available on file.

9. It is noticed that on the last date of hearing, i.e. 19.12.2025, learned State counsel was directed to place on record the details and status of all other cases registered against the petitioner, as mentioned in paragraph No.11 of the present



CRM-M-42710-2025

petition. However, learned State counsel is unable to produce the said details.

10. Considering the circumstances of the case, nature of allegations, and the period of incarceration already undergone by the petitioner, i.e. approximately one year, nine months, and fifteen days, this Court deems it appropriate to grant the concession of interim bail to the petitioner in the present case.

11. Accordingly, petitioner, namely Jagmeet Singh alias Jaggi Bhalwan alias Jaggi, is ordered to be released on interim bail till the next date of hearing, subject to his furnishing bail and surety bonds to the satisfaction of the learned Trial Court / Chief Judicial Magistrate / Illaqa Magistrate / Duty Magistrate concerned, if not required in any other case.

12. List the present petition on 12.03.2026, for further hearing, to decide the plea finally in light of the issue referred to, in the order dated 12.08.2025 passed by the Coordinate Bench of this Court.”

3. Learned counsel for the petitioner submits that there are several judgments of Hon'ble Apex Court, supporting the contention that where the trial is not moving at required pace and petitioner is inside jail for a long period, he/she need not to be put back to the jail and proceedings should not continue by keeping him inside jail, especially when nothing substantial is to be enquired/investigated by joining him in the investigation. Thus, prays for grant of regular bail.

4. On the other hand, amicus curiae—Mr. Karavir Singh Khehar, Advocate appointed by the Coordinate Bench of this Court vide order dated 12.08.2025, has produced copy of judgment passed in ***Ash Mohammad vs. Shiv Raj Singh @ Lalla Babu and another, 2013(1) RCR(Criminal) 277*** and submits that the allegations are to be seen on a particular case, where the bail has been sought.

5. Paragraph Nos. 28, 30, 32, 33 of the cited judgment reads as under:

28. On a perusal of the order passed by the High Court it will be difficult to say that the High Court has passed a totally cryptic or unreasoned order. The spinal question is whether it has ignored the relevant factors which were brought to its



CRM-M-42710-2025

notice at the time of extending the benefit of enlargement of bail to the accused. The prosecution by way of an affidavit had brought to the notice of the High Court about the cases pending against the accused. The High Court recorded the submission of the complainant that the accused was involved in 52 cases. On a perusal of the counter-affidavit filed before the High Court it is perceptible that it was categorically stated that the accused was a history-sheeter; that he was the pivotal force in getting the kidnapping done; that the victim Bihari Lal was in captivity for eight days; and that he escaped under the pretext that he was going to attend the call of nature. The High Court has only made a passing reference to the same and took note of period of custody of seven months and held, "considering the facts and circumstances of the case but without expressing any opinion on the merits of the case, the applicant is entitled to be released on bail".

29. xx xx xx xx

30. Coming to the nature of crime it is perceivable that two persons came on a motorcycle and kidnapped Bihari Lal and kept him in confinement for eight days. The role of the accused is clearly stated. It is apt to note that a history-sheeter has a recorded past. The High Court, in toto, has ignored the criminal antecedents of the accused. What has weighed with the High Court is that the accused had spent seven months in custody. That may be one of the factors but that cannot be the whole and the sole factor in every case. It depends upon the nature of the offence, the manner in which it is committed and its impact on the society. We may hasten to add that when we state that the accused is a history-sheeter we may not be understood to have said that a history-sheeter is never entitled to bail. But, it is a significant factor to be taken note of regard being had to the nature of crime in respect of which he has been booked. In the case at hand, as the prosecution case unfolds, the accused did not want anyone to speak against his activities. He had sent two persons to kidnap Bihari Lal, who remained in confinement for eight days. The victim was tortured. Kidnapping, as an offence, is on the increase throughout the country. Sometimes it is dealt with formidable skill and sometimes with terror and sometimes with threat or brute force. The crime relating to kidnapping has taken many a contour. True it is, sometimes allegations are made that a guardian has kidnapped a child or a boy in love has kidnapped a girl. They do stand on a different footing. But kidnapping for ransom or for revenge or to spread terror or to establish authority are in a different realm altogether. In the present case the victim had been kidnapped under threat, confined and abused. The sole reason for kidnapping is because the victim had shown some courage to speak against the accused. This may be the



CRM-M-42710-2025

purpose for sustaining of authority in the area by the accused and his criminal antecedents, speak eloquently in that regard. In his plea for bail the accused had stated that such offences had been registered because of political motivations but the range of offence and their alleged years of occurrence do not lend prima facie acceptance to the same. Thus, in the present case his criminal antecedents could not have been totally ignored.

31. xx xx xx xx

32. We may usefully state that when the citizens are scared to lead a peaceful life and this kind of offences usher in an impediment in establishment of orderly society, the duty of the court becomes more pronounced and the burden is heavy. There should have been proper analysis of the criminal antecedents. Needless to say, imposition of conditions is subsequent to the order admitting an accused to bail. The question should be posed whether the accused deserves to be enlarged on bail or not and only thereafter issue of imposing conditions would arise. We do not deny for a moment that period of custody is a relevant factor but simultaneously the totality of circumstances and the criminal antecedents are also to be weighed. They are to be weighed in the scale of collective cry and desire. The societal concern has to be kept in view in juxtaposition of individual liberty. Regard being had to the said parameter we are inclined to think that the social concern in the case at hand deserves to be given priority over lifting the restriction of liberty of the accused.

33. In the present context the period of custody of seven months, in our considered opinion, melts into insignificance. We repeat at the cost of repetition that granting of bail is a matter of discretion for the High Court and this Court is slow to interfere with such orders. But regard being had to the antecedents of the accused which is also a factor to be taken into consideration as per the pronouncements of this Court and the nature of the crime committed and the confinement of the victim for eight days, we are disposed to interfere with the order impugned.”

6. In view of the submissions addressed by respective counsel and the facts recorded in the previous order dated 22.12.2025, I find substantial reason to make the order absolute.

7. Ordered accordingly. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on regular bail, on the basis



CRM-M-42710-2025

of already furnished bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 16, 2026

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*