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

CRM-M-45720-2025 (O&M)
Date of Decision: 07.04.2026

Harjit Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Davinder Pal Soni Jaura, Advocate, for the petitioner.
Mr. Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.88 dated 26.08.2018, registered under Sections 458, 380, 323, 342 IPC (Sections 460 and 201 IPC added later on), at Police Station Sadar, District Sangrur.

2. Succinctly, facts of the case are that FIR got registered on statement of Sukhdev Singh. He was working as security guard in SS Uppan Godown Punsup Company. On 25.08.2018, he along with Bahadur Singh, Chamkaur Singh, Jagdev Singh and Akbar Khan, who was appointed as security guard, had reached on the duty at about 06.30 pm. At about 1.30 a.m, when the complainant went inside and switched on the light of torch, 5-6 unknown persons armed with Danda caught him and started beating him. The injuries were inflicted on his face, legs and arms. Thereafter they took him near 5 number palanthi, where they had already tied Bahadur Singh and threw him there. Then 4-5 more unknown persons came and threw Akbar Khan and Jagdev Singh @ Nanak and tied them. They were threatened that in case they made the noise, they would be given beatings. Akbar Khan was



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severely beaten by them. At about 04.00 a.m, when the recital of the Gurudwara Sahib started, the accused persons escaped from the godown committing theft of 248 bags of wheat by loading the same in one unidentified vehicle. Thereafter they got themselves freed and on reaching the police, they lodged this complaint. A request was made to take legal action against the culprits. On registration of the FIR, the investigation commenced. Akbar Khan, who was given severe beatings was admitted in the hospital, however, he succumbed to the injuries. Thus, the offence under Section 460 IPC was also added. On completion of the investigation, the challan was filed against 07 of the accused. The petitioner was arrested on 15.02.2025. The petitioner approached the Court of learned Additional Sessions Judge, Sangrur praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 22.05.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He further submits that neither the petitioner was named in the FIR; nor any specific role has been attributed to him. It is further contended that alleged occurrence has taken place in the year 2018, whereas the present petitioner was arrested on 15.02.2025. He further submits that petitioner was falsely implicated in another FIR No. 143 registered at Police Station Sadar, Dhuri, District Sangrur wherein he was duly appearing before the trial Court and he never got arrested. Now, after a period of six years, he has been arrested in



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the present case. He further submits that co-accused have already been granted bail vide different orders dated 25.07.2024, 21.08.2024, 29.08.2024 & 24.09.2024. He further submits that petitioner is behind the bars from more than one year. A *de novo* trial has started and thus, conclusion of trial will take a long time. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned Counsel for the petitioner. He has submitted that complicity of the petitioner surfaced after registration of the FIR. However, he could not be arrested at that time and finally got arrested on 15.02.2025. On instructions, he further submits that after arrest of the petitioner, a *de novo* trial has commenced *qua* all the accused. In all, there are 29 prosecution witnesses, who are yet to be examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that alleged occurrence pertains to the year 2018. The co-accused were arrested in the year 2018 and petitioner has been arrested on 15.02.2025. Admittedly, co-accused (Mohd. Anwar @ Balli, Gurinder Pal Singh @ Bhola, Rajesh Kumar @ Ramu @ Raju and Rocky) have already been granted bail by this Court vide different orders dated 24.09.2024, 29.08.2024, 25.07.2024 & 21.08.2024. Though, it has been contended that petitioner was arrested after six years of the occurrence, however, it is not in dispute that petitioner was facing trial in another FIR before the same trial Court in all these years. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 01 month and 21 days as on



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06.04.2026. It further shows that although, petitioner is involved in nine other cases, however he is on bail in four cases and has completed his sentence in five cases. Trial against all the accused has started *de novo*. *De hors* the gravity of the offence, this Court cannot ignore the long custody of the petitioner as speedy trial is the fundamental right of every accused.

6. 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. 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.

7. 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.

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

(RAJESH BHARDWAJ)
JUDGE

07.04.2026

SN

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