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

CRM-M-52930-2025

Date of decision :25.02.2026

Jasbir Singh**....Petitioner****versus****State of Haryana****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Anmol Ratan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate;
Ms. Kanisha Swaroop, Advocate;
Mr. Souravdeep Singh, Advocate and
Ms. Kamla Malik, Advocate for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed for grant of regular bail in case FIR No.618 dated 31.10.2022, under Sections 201, 302, 34 of IPC (Sections 120-B, 407, 411, 420 IPC added lateron) registered at Police Station Israna, District Panipat.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant-Gurbachan. It was alleged that they are two brothers and his younger brother, namely, Niranjana (matwa) is having a truck bearing No.HR-46-E-1658 and has employed Jasbir (petitioner) as a driver for his truck. It was alleged that his brother left along with his truck on 04.10.2022 but did not returned back. It was alleged that the complainant had firm belief that Chaku,



Bhinda and Pandit with whom his brother had some monetary transactions, along with Jasbir, had killed his brother. Thus, request was made to take legal action against the accused. On registration of the FIR, investigation commenced. Petitioner was arrested on 31.10.2022. On completion of the investigation, challan was presented and on framing of the charges, trial commenced. Petitioner approached the learned Additional Sessions Judge, Panipat praying for grant of bail. However, on hearing counsel for both the sides, the same was declined vide order dated 25.02.2025. Aggrieved by the same, petitioner earlier approached this Court by way of filing of CRM-M-14645-2025, however, the same was dismissed as not pressed on 07.04.2025. Hence, petitioner is before this Court by way of filing the present second petition filed praying for grant of bail.

3. It has been contended by learned Senior counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that admittedly the case of the prosecution is based on circumstantial evidence. It is submitted that the deceased i.e. the brother of complainant went missing on 04.10.2022 and dead body was found on 31.10.2022 from an open drain. He submits that the petitioner has been framed in the present case on the basis of his disclosure statement. He submits that there is no independent corroboration regarding the complicity of the petitioner except the presumptions and assumptions. He contends that the petitioner has no criminal antecedents and he is behind bars from last more than 03 years. To buttress his arguments, he went on to argue that even the witnesses i.e. the complainant himself, Jitender, Deepak, who are none other than the Chacha and Mama of the deceased,



material witnesses already stand examined. He submits that the prosecution has not been able to connect the chain of evidences, which is the settled law in proving the case based on the circumstantial evidence. He, thus, submits that the petitioner deserves to be granted bail.

4. Learned counsel for the State has opposed the submission made on behalf of the petitioner and has drawn attention of this Court to the status report filed. He submits that the petitioner in a well hatched conspiracy has eliminated the deceased. He submits that the petitioner has not only killed the brother of the complainant but disposed of the truck which was owned by the deceased. He submits that the dead body has been recovered on the disclosure statement of the petitioner himself, which is an admissible evidence. However, on instructions, he submits that out of total 28 prosecution witnesses, 18 witnesses have already been examined. He has also fairly submitted that though some of the witnesses have not supported the case of the prosecution but they having been turned hostile, the credibility of the prosecution case is not affected adversely. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that admittedly the case of the prosecution is based on the circumstantial evidences. Petitioner was arrested on 31.10.2022. Primarily, the prosecution has relied upon the disclosure statement of the petitioner on the basis of which the dead body of the deceased was recovered. The witnesses, who are the close relatives of the deceased, have not supported the case of the prosecution. The custody certificate produced would show that the petitioner has suffered an incarceration of



the petitioner has no criminal antecedents. Out of total 28 prosecution witnesses, 18 material witnesses have already been examined. This Court is of the opinion that the arguments raised by learned Senior counsel as well as learned State counsel, are purely matter of evidences which lies within the domain of the trial Court to be assessed on the basis of the appreciation of the evidences. This Court would refrain from commenting anything on the merits of the case, however, restating to the jurisdiction of this Court in granting bail, this Court is of the opinion that learned Senior counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Needless to say that every accused has a fundamental right of speedy trial.

6. 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. Keeping in view the arguments raised by both the sides and perusing the record, present petition is allowed and 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.

25.02.2026
ps-I

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No