



CRM-M-54332-2025

-1-

**234 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRM-M-54332-2025**

Date of Decision: 20.01.2026

Jagdev Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Damanjit Singh Sandhu, 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.87 dated 02.04.2023, registered under Sections 379-B(2)/34 IPC (Sections 473/411/201 IPC added lateron), at Police Station Sahnewal, District Ludhiana.

2. Succinctly, facts of the case are that on 02.04.2023, while the police party was on patrolling, received a secret information to the effect that Jagdev Singh (petitioner) and Brijesh were involved in snatching and committing theft by putting innocent persons under the fear. It was informed that they had gone towards the Focal Point near J-7 Hotel on their motorcycle. In case of barricading, they can be arrested along with the weapon. On receiving the secret information, barricading was placed on the place as disclosed and both the persons Jagdev Singh and Brijesh were apprehended by the police. On registration of the FIR, the investigation commenced. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of regular bail. However, after hearing both the sides, learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 26.07.2023.

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. It is submitted that the petitioner is behind the bars from the last more than 2½ years, however, the trial is under progress. He submits that co-accused have been granted regular bail by this Court. To buttress his arguments, he submits that the petitioner is not involved in any other case. It is, thus, submitted that in these circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. He has submitted that the petitioner was specifically named in the secret information. On his arrest, three bikes were recovered from him. It is submitted that complicity of the co-accused, who have been granted regular bail by this Court, surfaced during the investigation on the basis of the disclosure statement and thus, their cases are distinguishable from that of the petitioner. He submits that out of total 18 prosecution witnesses, 06 witness have been 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 the petitioner was named in the secret information and he was arrested on 02.04.2023. It has been submitted before this Court that though there is recovery of three bikes, however, as per custody certificate, the petitioner has suffered incarceration of 02 years, 09 months & 14 days as on 19.01.2026. It further shows that the petitioner is not involved in any other case, except the present case. Speedy trial is the fundamental right of



every accused.

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.

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             |
| 20.01.2026 | Whether Speaking/Reasoned : | Yes/No            |
| sharmila   | Whether Reportable :        | Yes/No            |