



CRM-M-56654 of 2024

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

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CRM-M-56654 of 2024
Date of Decision: 27.01.2026

Jagmohan Singh @ Mani

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Samay Sandhawalia, Advocate
for the petitioner.

Mr. Gagandeep Singh Chinna, Sr. DAG, Haryana.

Mr. Dinesh Sharma, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.235 dated 22.06.2024 registered under Sections 302 and 201 of IPC, at Police Station Bilaspur, District Yamuna Nagar.
2. Brief facts of the present case are that the petitioner and the deceased had been in a relationship and due to continuous pressure exerted upon by the deceased to marry her, the petitioner abducted the deceased, strangled her to death and thereafter, her body was thrown into the fields of the complainant.

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3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said incident. He argued that the petitioner was neither present at the spot nor named in the FIR and initially, the FIR was registered against unknown person. He further argued that the dead body of the deceased was found in the fields of the complainant on 21.06.2024 and since no one came to claim the dead body, the dead body was cremated after conducting the post-mortem. Later on 09.07.2024, the dead body of the deceased was identified by the mother and brother of the deceased and thereafter during investigation, the petitioner was implicated in the present case on the basis of some call detail records (CDR) between him and the deceased. He further argued that except CDRs between the deceased and the petitioner, there is no direct evidence to link the petitioner with the alleged murder and the present case is based on circumstantial evidence and there is no eye-witness to the murder. He further submits that blood samples of the petitioner was sent to FSL, Madhuban, Karnal and as per report of the FSL dated 17.12.2025, the nail clips of the deceased could not be compared/linked with the reference DNA profile of blood sample of the petitioner. He further argued that no DDR regarding the disappearance of the deceased was ever filed by her family. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 09.07.2024 and nothing is to be recovered from him. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 23 prosecution witnesses in the case, out of which, 06 have been examined and 07 have been given up and 10 are yet to

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be examined, as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has already filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He argued that there are call details records (CDR) between the petitioner and the deceased on the date of the occurrence of the alleged offence, which itself proves involvement of the petitioner in the crime. However, he admitted the fact that as per report of the FSL, Madhuban, Karnal dated 17.12.2025, the nail clips of the deceased could not be compared/linked with the reference DNA profile of blood sample of the petitioner and that the petitioner is a first time offender as he is not involved in any other case.

5. Learned counsel for the complainant, while opposing the prayer for grant of anticipatory bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and keeping in view the facts and circumstances of the present case, it is evident that the petitioner is in custody for the last more than 01 year and 06 months; investigation is complete; challan stands presented; charges framed; out of 23 witnesses, 06 have been examined, 07 have been given up and 10 are yet to be examined; the complicity of the petitioner is a matter of trial, and will take a long time to conclude. Thus, no useful purpose would be served by



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detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

9. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5***

SCC 752.

10. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

27.01.2026

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No