

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M No.63295 of 2025 (O&M)
Date of Decision: 16.02.2026

Jaswinder Singh @ Jaswinder Singh Sran

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

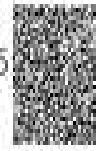
Present: Mr. Kanwaljeet Singh Cheema, Advocate for the petitioner.

Ms. Deepali Verma, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

The petitioner, who is in custody with regard to a case arising out of FIR No.290 dated 13.06.2025, under Sections 111(4) BNS and 25(6) and 29 of Arms Act, lodged in Police Station Civil Lines Karnal, has filed the present petition for bail. This is first petition for bail, filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'ASI Balwan Singh', who had reported that a Special Task Force Unit Karnal had been working on criminal Bhanu Rana Gang, involved in organized crime and for the above said purpose many informers were deployed to collect information about the gang. As per above named officer, on 13.06.2025 when he was leading a team of police officials near PWD Rest House a reliable source gave him a tip-off that 'Daulat Rana @ Sagar' was involved in the supply of weapons to the members of



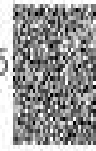
Bhanu Rana Gang, and that the above mentioned gang was involved in the incident of seeking ransom in District Karnal. According to above said police officer the informer also told him that on that day for supply of weapons to the members of Bhanu Rana Gang, the above named 'Daulat Ram' was present on the road leading from Kachwa Canal Bridge to Prithvi Raj Chauhan Chowk. It is the case of the prosecution that on receipt of above mentioned information the police party went to the place where the above named person was stated to be present. According to above named police officer the above said person when noticed the police party tried to sneak away by walking briskly, but he was apprehended and when the search of bag being carried by him was carried out, two pistols along 4 cartridges were recovered.

3. As per prosecution, in view of above mentioned recovery requisite formalities with regard to seizure and sealing of weapons, slapping of FIR and formal arrest of petitioner were undertaken and further investigation taken up.

4. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record.

5. Heard.

6. It has been contended by learned counsel for the petitioner that a false story has been set-out by the prosecution with regard to recovery of weapons from the possession of petitioner, and that the serious most defect in the story set up by the prosecution is that despite the recovery from a public place, and also despite the information in advance, any independent witness was not joined. It has also been contended by learned counsel for the petitioner that without any background, merely on the basis of presumption and assumption



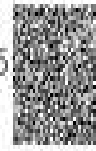
Section 111 has been invoked in the present case, and that there is nothing on record to show that the petitioner was ever involved in any kind of crime with regard to extortion of money or seeking ransom.

7. The learned State counsel has controverted the above mentioned arguments. It has been contended by learned State counsel that the petitioner has criminal history and that he is active member of Bhanu Rana Gang which is involved in various illegal activities including the activity of extortion and demanding ransom.

8. The record has been perused carefully.

9. If the facts and circumstances of the present case are analyzed in the light of relevant principles of law, it transpires that:-

- i) that the petitioner is already in custody for a period of 07 ½ months;
- ii) that as per custody certificate the petitioner is facing prosecution in three other cases, but none of those cases relate to extortion or demand of ransom;
- iii) that except the disclosure statement of the co-accused there is nothing on record to show that he is member of a group of persons involved in organized crime;
- iv) that nothing is left to be recovered from the possession of petitioner;
- v) that the trial is not likely to be concluded in near future;
- vi) that detention of petitioner in judicial lock-up is not likely to

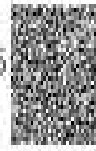


serve any purpose;

vii) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses;

viii) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in the trial.

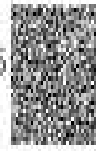
10. In the present case, the principles of law laid down by the Hon'ble Supreme Court in the case of 'Dataram versus State of Uttar Pradesh and another', (2018) 3 SCC 22, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of



decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

11. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil v. Central Bureau of Investigation’ (2022) 10 SCC 51 are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

12. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our



justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

13. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to an undertrial prisoner, as mandated by Hon’ble Apex court in ‘Balwinder Singh versus State of Punjab and another’ 2024 SCC Online SC 4354.

14. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the petitioner is entitled for the concession of bail, and that the present petition deserves to be allowed.

15. Accordingly, without commenting anything on the merits of the case, the present petition is hereby **allowed**. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However, the abovesaid benefit shall be subject to following conditions:-

- i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any other authority;
- ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change



in address to the trial Court, till the final decision of the trial;
and

- iii) that the petitioner shall not leave India without prior permission of trial Court.

(SURYA PARTAP SINGH)
JUDGE

16.02.2026
Manoj Bhutani

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