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

CRM-M-64502-2025

Date of decision : 10.03.2026

Jaswant Singh @ Jassa**....Petitioner****versus****State of Punjab****.... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Yashpal Thakur, Advocate, Mr. Naveen Kumar, Advocate
and Mr. Chinku Bawa, Advocate for the petitioner.

Mr. K.D. Sachdeva, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present fourth petition has been filed by the petitioner praying for grant of regular bail in case FIR No.04 dated 20.01.2024, under Sections 307, 353, 186 of IPC and Section 25 of Arms Act, registered at Police Station Bassi Pathana, District Fatehgarh Sahib.
2. As per the facts of the case, the FIR was lodged on the statement of SI Narinder Pal Singh. It was alleged that he received a telephonic call from S.P. Investigation, Fatehgarh Sahib informing that a robbery had taken place at Mandi Gobindgarh and he along with other police officials was asked to reach at the place of occurrence to recover the robbery amount. Upon reaching at the Box Factory near ITI Bassi Pathana, robbery amount was recovered on the demarcation of Jaswant Singh @ Jassa (present petitioner) who was in police custody in another FIR No.17 dated 19.01.2024 under Sections 395 and 34 of IPC and Sections 25 of Arms Act, registered at Police Station Gobindgarh. It was



alleged that at about 11:00 pm, Jaswant Singh @ Jassa began to remove the robbed amount from the boot of Balero vehicle bearing No.PB10EG7613 parked in the factory with his own hands. Meanwhile, Jaswant Singh @ Jassa picked up the pistol kept in the boot of the said vehicle and fired upon the police party with intention to kill and started running away. Then SI Narinder Pal Singh fired with his official service pistol to protect himself and the policy party, which hit on the right leg of Jaswant Singh @ Jassa and he fell down. Jaswant Singh @ Jassa was apprehended by the police Party and shifted to hospital. On registration of FIR, investigation commenced. The petitioner is behind bars in the present FIR since 05.02.2024. The petitioner approached the learned Additional Sessions Judge, Fatehgarh Sahib, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 28.05.2024. Aggrieved by the same, the petitioner earlier approached thrice this Court by way of filing of CRM-M-10008-2025, CRM-M-32308-2025 and CRM-M-48725-2025, however, the same were declined vide orders dated 27.02.2025, 07.07.2025 and 05.09.2025, respectively. Hence, the petitioner is before this Court praying for grant of bail by way of filing of present fourth petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that on the basis of cock and bull story the petitioner was named in the present FIR. He submits that the Police had levelled allegations against the petitioner regarding firing by the petitioner on the police party, however, it is a case of no injury as no one was injured in the present case. He submits



that it is rather the petitioner who himself suffered fire arm injuries from the firing made by the police party. It is submitted that the petitioner is behind bars from last more than 02 years and all the witnesses in the present case are the official witnesses but they are not appearing before the trial Court just to prolong the incarceration of the petitioner. He submits that though the petitioner was falsely implicated in one more case, however, he is on bail in the said case. He, thus, submits that the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has also opposed the submissions made by counsel for the petitioner and submits that when the police party along with the petitioner went to recover the robbed amount from the vehicle, then the petitioner took out pistol which was kept in the boot of the said vehicle and started firing upon the police party and when the police party went to arrest the petitioner in discharge of their official duties, the petitioner instead of surrendering, had opened fired upon the police party. He submits that in retaliation to the same, the police party had to fire upon him in which the petitioner got injured. It is submitted that the petitioner had played an active role in committing the offence and thus, no case for grant of bail is made out. It is submitted that out of total 25 prosecution witnesses, none has been examined so far. 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 the petitioner in the present case though was alleged to have fired on the police party, however, admittedly, there is no injury suffered by anyone from the alleged fire by the petitioner. It is rather the petitioner who suffered fire arm injury from the firing made by the police party. The custody certificate produced would show that the petitioner has



suffered an incarceration of 02 years, 01 month and 04 days as on 09.03.2026. It further reflects that the petitioner is involved in one more case. Out of total 25 prosecution witnesses, none has been examined so far. Needless to say that speedy trial is the fundamental right of every accused.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. 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.”

8. 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.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of

bail to the petitioner. Accordingly, 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.

10. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

10.03.2026
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(RAJESH BHARDWAJ)
JUDGE

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