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

**CRM-M No.65134 of 2025
Date of Decision: 23.03.2026**

Charanjot Singh @ Jot

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gursimran Singh Madaan, Advocate;
Mr. Sewak Singh, Advocate and
Mr. Gurmehar Singh Minhas, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.104, dated 30.07.2023, under Sections 302, 307, 323, 324, 326, 120-B, 34 of IPC and sections 25, 29, 30 of Arms Act, registered at Police Station Adampur, District Jalandhar.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mahavir Singh. It was alleged that the complainant came out of the jail 15 days ago and was going to village Padhyana on his motorcycle. On the way, 3-4 boys met the complainant, who were already standing there and they were



his co-prisoners when the complainant was in jail. Kulwant Singh threatened the complainant that he had attacked him while he was in jail and thus, they started causing injuries to him. Kulwant Singh fired shots at the complainant with his pistol, which hit on his right side of the chest and right arm bicep and Charanjot Singh @ Jot (petitioner) hit him with the sickle which hit on his arm as well as on forehead. Kulwant Singh again fired shot him with his pistol which hit on the right leg of the complainant. After causing injuries to the complainant, they all escaped from the place of occurrence along with their respective weapons. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The FIR initially was registered for the offence under Section 307 IPC, however, the complainant, Mahavir Singh subsequently succumbed to the injuries and died on 06.02.2024 and thus, the offence under Section 302 IPC was added. The petitioner was arrested on 07.08.2023. On completion of the investigation, the challan was presented and on framing of the charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jalandhar dismissed the bail application filed by the petitioner vide order dated 19.12.2023. Being aggrieved, the petitioner earlier approached this Court twice praying for the grant of regular bail by way of filing CRM-M-5776-2024 and CRM-M-47783-2024, however the same were dismissed vide orders dated 29.07.2024 and 22.08.2025. Hence being aggrieved, the



petitioner is again before this Court praying for grant of regular bail by way of filing the present third petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the alleged occurrence had taken place on 30.07.2023 wherein the petitioner has been alleged to have caused the *daggar* blow to the deceased, namely, Mahavir Singh on his right arm and forehead. He has submitted that the deceased was medico legally examined and both these injuries were declared simple in nature. He has submitted that the complainant died on 06.02.2024, i.e. after about 06 months of the alleged occurrence. He has submitted that the cause of death was opined to be asphyxia due to aspiration of food, which seems probably due to chronic illness. He has submitted that from the facts and circumstances of the case, the offence under Section 302 IPC, i.e. culpable homicide, is not even made out against the petitioner. He has submitted that the petitioner is behind bars from last last more than 2½ years, however, there is no material progress in the trial and thus, his right of speedy trial has been miserably defeated. He has submitted that though the petitioner was falsely implicated in one more case, i.e. FIR No.13, dated 24.02.2019, under Sections 307, 324, 323, 427, 506, 120-B, 148, 149 IPC, however, he is on bail in that case. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner along with the co-accused had conspired and played an active



role while causing injuries to the deceased. She has submitted that the co-accused had fired at the deceased and finally, he died on 06.02.2024. She has submitted that the FIR was registered on the basis of statement of deceased made before the police and once he died, the FIR is nothing but a dying declaration. She, on instructions, has submitted that out of total 34 prosecution witnesses, only 02 witnesses have been examined so far. She has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence in the present case has taken place on 30.07.2023. The FIR was registered on the statement of deceased, Mahavir Singh. The complainant died after about 06 months of the alleged occurrence on 06.02.2024. The petitioner has been alleged to have caused 02 daggar blows to the deceased, which were declared simple in nature. The cause of death opined by the doctors is “*asphyxia due to aspiration of food, which seems probably due to chronic illness*”. Whether the case is culpable homicide amounting to murder or not is doubtful and the same would lie within the domain of the learned trial Court, which would be adjudicated on the appreciation of evidence to be led by both the parties before the trial Court. Custody certificate produced would show that the petitioner has suffered an incarceration of 02 years, 07 months and 13 days as on 21.03.2026. It further reflects that the petitioner is involved in 01 more case, however, he is on bail in that case. Out of total 34 prosecution witnesses, only 02 witnesses have been examined. Needless to say that



every accused has the fundamental right of speedy trial.

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. 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.

10. 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.

11. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.03.2026
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No