



CRM-M-66349-2025

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

CRM-M-66349-2025

Date of Decision: 17.03.2026

Sukhchain Singh @ Sukha

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Harpal Singh Sidhu, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.46 dated 23.06.2023 under Sections 302, 212 and 120-B IPC and Section 25 of the Arms Act, 1959, registered at Police Station Talwandi Bhai, District Firozepur.

2. Succinctly facts of the case are that the FIR in the present case was registered on the statement of Amrit Lal Chhabra. It was alleged that on 23.06.2023, he and his nephew had come to their shop in the morning. In the afternoon when they were about to go to their house for having lunch, they asked one Prem Kumar to look after their shop. After having lunch, they reached their shop. Then at about 02:30 PM, two persons with muffled faces parked their motorcycle in front of their shop. The person sitting pillion on the motorcycle was holding 9mm pistol in his hand, got down and entered their shop and started firing. He fired 6-7 rounds at Prem Kumar who received firearm injury on his thigh of left leg. They immediately shifted to Medicity Hospital, Moga. However, he died during treatment. Request was made to take legal action against the culprits. On registration of the FIR,



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investigation commenced. During investigation, complicity of the petitioner was surfaced and he was arrayed as an accused in the present case and he was arrested 08.12.2023. He approached the Court of learned Additional Sessions Judge, Ferozepur praying for grant of bail. However, after hearing counsel for both the sides, the same was dismissed by the learned Additional Sessions Judge, Ferozepur vide order dated 14.10.2025. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Nishan Singh and Parminder Singh @ Lalli. He has drawn the attention of this Court to the orders dated 16.01.2025 and 07.07.2025 passed in **CRM-M-34744-2024** and **CRM-M-33779-2025**, whereby, co-accused Nishan Singh and Parminder Singh @ Lalli have been granted regular bail by this Court. He submits that the petitioner is in custody since 08.12.2023. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who have already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Nishan Singh and Parminder Singh @ Lalli. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 08.12.2023



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Co-accused, namely, Nishan Singh and Parminder Singh @ Lalli are on bail and the case of the petitioner as stated is at par with them. As per custody certificate, the petitioner has suffered incarceration of 02 years, 03 months & 02 days as on 16.03.2026. It further reflects that the petitioner is involved in eight more cases, however, he is on bail in four cases. As per law settled, speedy trial to the petitioner despite his involvement in multiple cases cannot be taken away.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, 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 on



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the basis of parity. 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.

9. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

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

(RAJESH BHARDWAJ)
JUDGE

17.03.2026

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