



236

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M No.69759 of 2025
Date of decision: 13.01.2026****Jashan****....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. Mayur Singla, Advocate
for the petitioner.

Mr. Rituraj Singh, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.154, dated 16.05.2023, under Sections 302, 120-B of IPC (Sections 148, 149, 201 IPC added later on), registered at Police Station Tripuri, District Patiala.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Shishpal Singh, son of Gurdayal Singh. It was alleged that the complainant was running a Barber shop. His son, namely, Gurpreet @ Monu, aged 25 years, also worked as a Barber. His son Gurpreet @ Monu had performed love marriage with Archana about 4-5 years ago. On 15.05.2023, the complainant met with his son and left for his village in District Kaithal. His son Gurpreet @ Monu had told him that some anti social elements including Nimish, Yash @ Jodha, Karan Sandhu, Mani Cheema, Irshit @ Jogi, Harsh, Monu, Sonu, Malkeet @ Chitta, Jashan (petitioner) and 2-3 unknown boys were threatening him from last few days. When the complainant reached his father-in-law's house, his



wife got a call that Jogi, Karan Sandhu, Jashan (petitioner) alongwith 10-12 persons had inflicted injuries to their son Gurpreet @ Monu and killed him. It was alleged that these persons were nurturing grudge against his son since long and thus, he was killed by the accused persons. Hence, the request was made to take legal action against the accused persons. The petitioner was arrested on 16.05.2023. The petitioner approached the Court of learned Additional Sessions Judge, Patiala 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, Patiala, declined the bail application filed by the petitioner vide order dated 28.02.2024. Being aggrieved, the petitioner earlier approached this Court by way of filing CRM-M-15262-2024 praying for the grant of bail, however the same was dismissed as withdrawn vide order dated 20.05.2025. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused, namely, Yash Vaid @ Yodha, Nimish @ Jashan, Sonu Kumar and Sonu Singh. He has drawn the attention of this Court to the orders dated 04.11.2025, 21.11.2025 and 04.12.2025, respectively, passed by this Court in **CRM-M-28348-2024**, **CRM-M-56382-2024**, **CRM-M-64889-2025** and **CRM-M-36665-2025**, whereby co-accused of the petitioner, namely, Yash Vaid @ Yodha, Nimish @ Jashan, Sonu Kumar and Sonu Singh, have been granted the concession of bail. He has submitted that case of the petitioner is even on better footing than that of the co-accused, who have been granted bail by this Court. He has submitted that on the basis of the parity, the petitioner deserves to be granted bail.



4. *Per contra*, learned State counsel has opposed the submissions made by the counsel for the petitioner. However, he has endorsed the fact that case of the petitioner is at parity with that of co-accused, namely, Yash Vaid @ Yodha, Nimish @ Jashan, Sonu Kumar and Sonu Singh, who have been granted bail by this Court vide orders dated 04.11.2025, 21.11.2025 and 04.12.2025, respectively. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the FIR in the present case was lodged on the statement of complainant Shishpal Singh. Admittedly, co-accused of the petitioner, namely, Yash Vaid @ Yodha, Nimish @ Jashan, Sonu Kumar and Sonu Singh, have already been granted bail by this Court vide orders dated 04.11.2025, 21.11.2025 and 04.12.2025, respectively passed by this Court in **CRM-M-28348-2024, CRM-M-56382-2024, CRM-M-64889-2025 and CRM-M-36665-2025**. Custody certificate produced would show that the petitioner has suffered an incarceration of 02 years, 07 months and 12 days as on 12.01.2026. It further reflects that the petitioner is involved in 01 more case.

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

13.01.2026

rittu

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

(RAJESH BHARDWAJ)
JUDGE