

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

S.No. 117+226+219

Date of Decision : 04.05.2026

I.

CRM-M-71336-2025

Mohit Kamboj

... Petitioner

Versus

State of Punjab

...Respondent

II.

CRM-M-8665-2026

Harwinder Singh @ Harvinder Singh

... Petitioner

Versus

State of Punjab

...Respondent

III.

CRM-M-3435-2026

Sanjot Singh

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. G.K.Mann, Sr. Advocate with
Mr. Sunil Kumar, Advocate and
Mr. Gursewak Singh, Advocate,

Ms. Ishika Garg, Advocate,
for the petitioner in CRM-M-8665-2026.

Mr. Jatinder Kumar Kansal, Advocate for
Mr. Abhinav Gupta, Advocate,

for the petitioner in CRM-M-3435-2026.

Mr. K.D.Sachdeva, DAG, Punjab.

Mr. Raj Karan Singh, AAG, Punjab.

Mr. Rahul Soi, Advocate,
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

This order shall dispose of the aforesaid three petitions.

2. Prayer is for grant of regular bail to the aforesaid three petitioners in FIR 0018 dated 27.02.2023 registered under Sections 302, 323, 506, 148, 149 IPC at Police Station Urban Estate, Patiala, District Patiala.

3. Brief facts of case are that on 27.2.2023, the complainant received a phone call from the friend of his son, namely, Navjot Singh that there had occurred a fight of his son with someone in the university and he had received injuries and they were taking him to Rajindra Hospital, Patiala. When he reached at Rajindra Hospital, Patiala, Gurwinder Singh, friend of his son met him and told him that he alongwith Navjot Singh, Gurjinder Singh, Ramandeep Singh, Noordin Ali and Anmol Heera were present in Punjabi University, Patiala and talking with each other at about 12 noon. Then, Sanjot Singh (petitioner in CRM-M-3435-2026), Mohit (petitioner in CRM-M-71336-2025), Harwinder Singh (petitioner in CRM-M-8665-2026) who were also students of the university alongwith three unidentified persons attacked them. Sanjot Singh was armed with *kirch*, Mohit with iron punch and one unknown person was armed with kirch. Sanjot Singh gave blow of kirtch on the left side of abdomen of Navjot Singh and other person also gave blow of kirch on the right side of abdomen of Navjot Singh and above right thigh. Other persons also gave beatings to Gurjinder Singh. They

raised alarm upon which other students gathered at the spot and assailants fled away from the spot with their respective weapons extending threats to them. Navjot Singh and Gurjinder Singh were transported to Rajindra Hospital, Patiala for treatment where Navjot Singh was declared dead. On the basis of above statement of complainant, FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, Mohit Kamboj, Harwinder Singh @ Harvinder Singh and Sanjot Singh were arrested on 01.03.2023. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. Petitioners-Mohit Kamboj, Harwinder Singh and Sanjot Singh 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 dismissed the bail application filed by the petitioner vide orders dated 30.07.2025, 21.08.2024 and 27.01.2025, respectively. Hence, being aggrieved, Mohit Kamboj petitioner earlier approached this Court by way of filing CRM-M-42144-2024 and CRM-M-29654-2025, however, the same were dismissed as withdrawn by this Court vide orders dated 04.09.2024 and 01.07.2025, respectively. Harwinder Singh alias Harvinder Singh petitioner also earlier approached this Court by way of filing CRM-M-6643-2025, however, the same was dismissed as withdrawn by this Court vide order dated 10.02.2025. Hence, instant petitioners are before this court by way of filing present petitions praying for the grant of regular bail.

4. It has been contended by the learned Senior counsel that the petitioners have been falsely implicated in the present case. It is contended that the alleged occurrence has taken place on 27.02.2023. It is submitted that the complainant is none other than the father of the deceased-Navjot Singh, however, he was not the eye witness of the occurrence. As per the allegations made in the FIR, petitioner-Sanjot Singh (in CRM-M-3435-2026) was allegedly armed with *Kirch*, Mohit Kamboj (petitioner in CRM-M-71336-2025) was armed with iron punch and Harwinder Singh @ Harvinder Singh (petitioner in CRM-M-8665-2026) was unarmed. However, during investigation, the allegations made in the FIR were not substantiated and it was found that Mohit Kamboj was unarmed, Sanjot Singh was armed with iron punch and fatal blow to deceased-Navjot Singh had been found to have been given by co-accused Mandeep Singh. Learned counsels further submit that three eye witnesses including one injured witness have been examined before the trial Court and all these three eye witnesses namely Gurjinder Singh, Ramandeep Singh and Gurwinder Singh did not support the case of the prosecution and they were declared hostile. It is contended that the complainant is also partly examined, however, he is not the eye witness of the occurrence. It is further contended that petitioner(s)-Mohit Kamboj and Sanjot Singh are involved in two other cases under Prisons Act and they are on bail in those two cases whereas Harwinder Singh is involved in two other cases and he is on bail in one case. Thus, it is prayed that the petitioners are behind the bars for the last more than 3 years. The material witness already stands examined and thus, the petitioners be granted bail.

5. Counsel for the complainant vehemently opposed the submissions made by the Senior counsel for the petitioners. It is contended

that the petitioners along with the co-accused were specifically named in the FIR. They were not only part of the unlawful assembly but also played an active role in committing murder of Navjot Singh.

6. Learned State counsel has also opposed the submissions made by the learned Senior Counsel and other counsels for the petitioners. He has brought the attention of this Court to the status report filed by learned State counsel. He submits that during investigation, petitioners-Mohit Kamboj and Harwinder Singh were found unarmed whereas Sanjot Singh was found to be armed with an iron punch. He contends that co-accused, namely, Mandeep Singh caused fatal blow. As all the accused were part of the unlawful assembly, they are not entitled for grant of bail. He on instructions submits that out of 28 witnesses, 23 witnesses remain to be examined. He has produced the custody certificate(s) of the petitioners today in Court which are taken on record.

7. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence has taken place on 27.02.2023. The petitioners were named in the FIR. However, during investigation, Mohit Kamboj and Harwinder Singh were found to be unarmed and Sanjot Singh was found to be armed with iron punch. Out of 5 eye witnesses, 3 witnesses have been examined and all the three witnesses have not supported the case of the prosecution. The complainant is the father of the deceased but admittedly he is not the eye witness of the occurrence. Custody certificate produced would show that the petitioner-Mohit Kamboj has suffered incarceration of 3 years, 1 month and 26 days as on 03.05.2026 and he is involved in two more cases, however, he is on bail in one case; petitioner-Harwinder Singh has suffered incarceration for 3 years, 1 month and 24 days

as on 01.05.2026 and he is involved 2 more cases, however, he is on bail in one case and petitioner-Sanjot Singh has suffered incarceration for 3 years, 1 month and 15 days as on 01.05.2026 and he is convicted in two cases, however, he has completed the sentence awarded to him in both the cases. Out of 28 witnesses, 23 witnesses stand examined. Needless to say that every accused has the fundamental right of speedy trial.

8. 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.”

9. 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.

10. In view of above, all the aforesaid three petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

11. However, if petitioners-Mohit Kamboj and Harwinder Singh alias Harvinder Singh do not furnish the bail bonds within seven days from

CRM-M-71336-2025, CRM-M-3435-2026
and CRM-M-8665-2026

today, then their further custody period after one week will not be counted in
this case.

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

(RAJESH BHARDWAJ)
JUDGE

May 04, 2026
Paritosh Kumar

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