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CRM-M-971-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-971-2026

Date of decision: 01.04.2026

BIKRAMJEET SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. K.S. Brar, Advocate for the petitioner.

Mr. Amit Shukla, DAG Punjab.

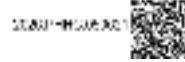
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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail pending trial to the petitioner in case FIR No.41 dated 12.07.2023 registered under Sections 302, 307, 324, 34 IPC (Section 324 IPC deleted and Sections 323 and 326 IPC added later on) at Police Station Rureke Kalan, District Barnala (Annexure P-1).

2. Brief facts as per the prosecution case are that the petitioner along with co-accused committed murder of one Gurmail Singh and gave injuries to one Avijot. Hence the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that neither the petitioner was named in the FIR nor any specific role has been attributed to him. He submits that the only allegation against the petitioner is of instigation. He submits that the entire case is based on extra judicial confession made to one Ranjit Singh. He further submits that even if the extra



attributed to the present petitioner. The petitioner has clean antecedents. The investigation in the case is complete, challan stands presented, charges have also been framed, out of 22 prosecution witnesses only 01 has been examined and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. Status report has already been filed and he while relying on the same has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature as the petitioner was actively involved in the alleged crime.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for last more than 02 years 08 months; investigation is complete; challan stands presented; charges have been framed; out of 22 prosecution witnesses, only 01 has been examined till date and the trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and

expiring with the final verdict of the last Court.



7. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.***

8. More recently, in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, the Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "bail is a rule" and "jail is an exception".

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

01.04.2026

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

(RUPINDERJIT CHAHAL)
JUDGE

Yes/No
Yes/No