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109(3 cases)

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

1. CRM-M-229-2025

Jugraj Singh @ Jagraj SinghPetitioner

versus

State of Punjab Respondent

2. CRM-M-3513-2026

Suhail AliPetitioner

versus

State of PunjabRespondent

3. CRM-M-4778-2026

Varinder Singh @ VickyPetitioner

versus

State of PunjabRespondent

Date of decision: 20.03.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. Gurpreet Kaur, Advocate (in CRM-M-229-2025)
Mr. Damanjit Singh Sandhu, Advocate (in CRM-M-3513-2026)
Mr. Gaurav Singla, Advocate (in CRM-M-4778-2026)
for the petitioner(s).

Ms. Ramta Chowdhary, DAG, Punjab

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid three petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of filing the present petitions praying for grant of regular bail to them in case FIR No.145 dated 18.07.2023, under Section 302, 34 of IPC, registered at



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Police Station Sadar Ludhiana.

3. Succinctly, facts of the present case are that the FIR in question was registered on the statement of complainant, namely, Jaspreet Singh, who is brother-in-law of the deceased. It was alleged that his younger sister got married on 25.02.2013 with Baninderdeep Singh (now deceased). In the year 2019, both had gone to Canada and returned back to India in the month of March. It was alleged that on 18.07.2023 at about 12:15 PM, his sister Sukhbir Kaur informed him telephonically that his brother-in-law had been caused injuries by someone and taken to DMC Hospital for treatment. It was alleged that the complainant took his cousin brother Sukhjot Singh along with Parminder Singh who took his brother-in-law Baninderdeep Singh to DMC Hospital in an injured condition, where, the doctor declared him dead. After inquiry, Bal Singh told the complainant that he and Baninderdeep Singh were riding on their motorcycle bearing No.PB-10-GA-2735 and were going from his Farm House to his home in Lalto Kalan. When they reached T-Point Chakar Colony, two motorbikers came from behind and hit Baninderdeep Singh on the backside of his neck with an iron *dattar*. Baninderdeep Singh fell down and was hit by sharp edged weapon by four people on his neck and other body parts while he was lying down. Hence, request was made to take legal action against the culprits. The FIR was registered. On registration of FIR, investigation commenced. During investigation, the complicity of present petitioners were surfaced on the basis of supplementary statement of the complainant. Petitioners were arrested on 22.07.2023. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioners approached the



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learned Additional Sessions Judge, Ludhiana, for grant of bail, however, after hearing both the sides, the said relief was declined to them vide orders dated 29.10.2024, 12.09.2024 and 07.11.2024, respectively. Hence, being aggrieved, petitioners are before this Court by way of filing the present petitions for grant of concession of regular bail.

4. It has been contended by learned counsel for the petitioners that petitioners have been falsely and frivolously implicated in the present case. It has been contended that the case of the prosecution is admittedly based on the circumstantial evidence and the alleged occurrence has taken place in the intervening night of 18/19.07.2023. It has been submitted that the supplementary statement of the complainant was recorded after 04 days of registration of the FIR i.e. on 22.07.2023 wherein without there being any evidence on record, the petitioners were arrayed as accused on the basis of presumptions and assumptions. It has been contended that the petitioners were arrested on 22.07.2023. It has been further submitted that except the supplementary statement made by the complainant, the prosecution has not been able to collect any credible evidence against the petitioners so as to prove their complicity in the present case. It has been submitted that as per the law settled, once the case is based on circumstantial evidence, the prosecution is bound to prove the case by completing the chain of evidence produced. It has been submitted that the supplementary statement of the complainant in itself is not an admissible evidence. It has also been submitted that petitioner-Varinder Singh @ Vicky has no criminal antecedents and though petitioners namely, Jugraj Singh @ Gaja and Sohail Ali were involved in other cases, however, they are on bail in those cases. It has been submitted that the petitioners are



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behind the bars from last more than 2½ years however, there is no progress in the trial thus, the right of speedy trial is miserably defeated in the present cases.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioners. She has submitted that complicity of the petitioners surfaced during investigation. She has submitted that all the petitioners in conspiracy with co-accused have committed the murder of Baninderdeep Singh. She, on instructions, has further submitted that out of 24 prosecution witnesses, only 03 witnesses have been examined so far. She has placed on record the custody certificates of the petitioners.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on circumstantial evidence. Petitioners were arrayed as accused on the basis of supplementary statement of the complainant. Petitioners were alleged to be the part of conspiracy. Custody certificates filed by the State show that the petitioners have undergone incarceration of 02 years, 07 months and 21 days as on 19.03.2026. Custody certificate of petitioner-Varinder Singh @ Vicky (in CRM-M-4778-2026) reflects that he is not involved in any other case. Custody certificate of petitioner-Jugraj Singh @ Gaja (in CRM-M-229-2025) reflects that though he is involved in two more cases, however, in one case, he is on bail. Custody certificate of petitioner-Suhail Ali (in CRM-M-3513-2026) reflects that though, he was involved in one more case, however, he is on bail in the same. As submitted by learned State counsel, out of 24 prosecution witnesses, only 03 witnesses have been examined so far. Needless to say that speedy trial is the right of every accused.



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 conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the cases will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present cases, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the present 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



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

10. If petitioner-Jugraj Singh @ Gajan (in CRM-M-229-2025) does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

20.03.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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