

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-13159-2025  
Reserved on: 08.07.2025  
Pronounced on: 18.07.2025

Jagdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. D.S. Virk, Advocate,  
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

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**ANOOP CHITKARA, J.**

| FIR No. | Dated      | Police Station         | Sections                                                                                  |
|---------|------------|------------------------|-------------------------------------------------------------------------------------------|
| 30      | 11.03.2022 | City Rampura, Bathinda | 323, 324, 148, 149, 452, 506, IPC (Section 307 IPC added vide DDR No.31 dated 04.04.2022) |

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. As per paragraph 10 of the bail petition and as per paragraph 15 of the status report, the accused has the following criminal antecedents:

| Sr. No. | FIR No. | Dated      | Offenses                          | Police Station          |
|---------|---------|------------|-----------------------------------|-------------------------|
| 1.      | 20      | 27.03.2024 | 380 IPC                           | City Rampura, Bathinda  |
| 2.      | 72      | 16.08.2016 | 379, 379-B, 411, 34 IPC           | Phul, Bathinda          |
| 3.      | 86      | 11.09.2017 | 457, 380, 411 IPC                 | Sadar Rampura, Bathinda |
| 4.      | 178     | 03.09.2018 | 457, 380 IPC                      | Nathana, Bathinda       |
| 5.      | 131     | 29.09.2018 | 458, 307, 324, 148, 149 IPC       | City Rampura, Bathinda  |
| 6.      | 159     | 24.07.2019 | 22 of NDPS Act                    | Nathana, Bathinda       |
| 7.      | 57      | 19.05.2020 | 457, 380 IPC                      | City Rampura, Bathinda  |
| 8.      | 14      | 16.02.2023 | 25 of Arms Act, 457, 380, 411 IPC | Nathana, Bathinda       |

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

*“4. That on 09.03.2022, the complainant was present at the wedding of his brother Sukhbeer Singh. Due to the said wedding, the complainant had invited Simarjit Kaur, Gurmeet Singh, Santosh Singh to his house. At the wedding ceremony, the rest of the family members of the complainant had slept after dance performances. The complainant, his sister Sukhpreet Kaur, sister-in-law Simarjit Kaur, uncle Santosh Singh were taking while sitting in the courtyard of the complainant's house. The gate of their house was open and the light of the courtyard was switched on. At about 11 to 11:30 PM, Randhir Singh @ Dhira armed with Kirpan, Gurtej Singh armed with Kirpan, Kuldeep Singh armed with Kirpan, Babbi Singh armed with Kirpan, Jagdeep Singh (accused-petitioner) armed with Kirpan, Jasdeep Singh armed with iron rod, Darshan Singh armed with stick came at the spot. The accused-petitioner raised lalkara saying, "today teach lesson to Gurwinder Singh for messing with me. Today his relatives should also know about accused-petitioner. Thereafter Randhir Singh said, "boys what are you waiting, catch him." Upon hearing the lalkara, the accused Randhir Singh gave a blow of his Kirpan on the right eye-brow of the complainant. The accused Gurtej Singh gave a blow towards the complainant and in order to save himself from the said blow, the complainant escaped from the accused Gurtej Singh and the said blow was hit on the complainant's back. Thereafter, the accused-Kuldeep Singh gave a blow of his Kirpan on the upper side of the complainant's left shoulder. The complainant fell on the earth and while he was laid down, the accused Suman Kaur and Jagmeet Singh also came at the spot and caught the complainant and threatened him of dire consequences if he speaks. Thereafter, the accused Bobby Singh gave a blow of his Kirpan the complainant's sister Sukhpreet Kaur. Sukhpreet Kaur sat down and put her hands on her ear in fear and the said blow was hit on the back side of head of Sukhpreet Kaur. The accused Darshan Singh gave a blow of stick on the left ankle of Sukhpreet Kaur and then pushed Sukhpreet Kaur by grabbing her hair. Meanwhile, accused Veerpal Kaur and Baljit Kaur also entered the complainant's house abusing them and they caught Sukhpreet Kaur. Thereafter, the accused-petitioner gave a blow of his Kirpan on the left wrist of the complainant's sister in law Simarjit Kaur. Thereafter, Karamjit Kaur and Rano Kaur also came at the spot and caught the Simarjit Kaur. Meanwhile accused Gagan Singh armed with a stick also entered the complainant's house. The accused-petitioner and the co-accused Gagan Singh gave blows of their respective weapons on Santosh Singh and the said blows were hit on right eye and left finger of Santosh Singh. The complainant and other injured shouted "marta-marta". On the instructions of the accused, 5/7 with unknown persons, who were connived with accused, came at the spot and gave beatings to the complainant and other injured. Upon hearing the noise, the neighbors started gathering at the spot. The neighbors and Gurmeet Singh shouted "don't kill-don't kill". Thereafter, the accused-petitioner and the co-accused ran away from the spot along with their respective weapons while issuing threats to the complainant.”*

4. Counsel for the petitioner submits that he would have no objection in case any stringent conditions this Court might put upon the petitioner including surrender of fire arms, if any and in case, petitioner repeats the offence, where the sentence prescribes 07 years or more, he has no objection if the State files an application for cancellation of bail in the present FIR and in those cases, where he is on bail. He contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

*“SPECIFIC ROLE AND EVIDENCE AGAINST THE ACCUSED-PETITIONER:  
14. That from the thorough investigation, it has duly established that on the day of occurrence i.e. 09.03.2022, at about 11 to 11:30 PM, the accused-petitioner in connivance with the co-accused trespassed into the complainant's house and gave merciless beating to the complainant, his sister Sukhpreet Kaur, sister in law Simarjit Kaur and uncle Santosh Singh. The accused-petitioner was armed with Kirpan (Sword). The accused-petitioner raised lalkara saying, "today teach lesson to Gurwinder Singh for messing with me. Today his relatives should also know about Jagdeep Singh." The accused-petitioner gave a blow of his Kirpan on the left wrist of the complainant's sister in law Simarjit Kaur. The accused-petitioner also gave blow his weapon on Santosh along with co-accused Gagandeep Singh and the said blows were hit on his right eye and left finger of Santosh Singh.”*

REASONING:

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 4 of the bail petition, the petitioner has been in custody since 21.06.2024. As per the custody certificate dated 07.07.2025, the petitioner’s total custody in this FIR is 01 year and 14 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.
8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.
9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

|    |                                                                                                                                      |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | AADHAR number                                                                                                                        |  |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. |  |
| 3. | Mobile number (If available)                                                                                                         |  |
| 4. | E-Mail id (If available)                                                                                                             |  |

11. This order is subject to the petitioner’s complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

13. Given the background of allegations against the petitioner, it becomes paramount to protect the victim, members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearms. [This restriction is being imposed based on the preponderance of the evidence of probability and not of evidence of certainty, i.e., beyond a reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days of release from prison and inform the Investigator of the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and reclaim them in case of acquittal in this case, provided otherwise permissible under the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

14. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense and also to block the menace of drug abuse. In Mohammed Zubair v. State of NCT of Delhi, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

15. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.**

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the

official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)**  
**JUDGE**

**18.07.2025**  
Jyoti-II

|                            |     |
|----------------------------|-----|
| Whether speaking/reasoned: | Yes |
| Whether reportable:        | No. |