

2025:PHHC:100574



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M No.3817 of 2025
Date of Decision: 05.08.2025

Rajbir Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Umesh Aggarwal, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Amandeep Singh, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
139	08.07.2023	Ajnala, District Amritsar Rural	307, 323, 324, 148, 149 and 506 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Balwinder Singh on 08.07.2023 alleging that on the night of 07.07.023, he was going towards his house at

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Village Kotla Suraj on a motorbike and when he reached near Village Dabar, six persons riding on two bikes intercepted him. The petitioner was one amongst them. He identified three others but two of them were unknown to him. The petitioner was carrying a weapon and struck blows with the same on his head with intent to kill him. The other assailants also caused injuries to him and thereafter they fled away while extending threats to him. He took the names of the petitioner and four co-accused. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 06.07.2024. He suffered disclosure statement admitting his involvement in the crime. The co-accused Malwinder Singh was also arrested. Investigation now stands completed and challan has been presented against the petitioner and some other accused.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has clean antecedents. He is in custody since long. He has been attributed injuries on the head and middle finger of the victim. These injuries have not been opined to be dangerous to life. The trial will take considerable time to conclude. None of the material witnesses has been examined so far. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant that keeping in view the gravity of the allegations, the petitioner does not



deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that assembly, is alleged to have assaulted the victim on the day of occurrence. He has been attributed grievous injuries on the victim. Investigation has, however, been completed. The petitioner is in custody for a period of over one year. The trial will take considerable time to conclude as no witness has been examined so far. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

05.08.2025
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(MANISHA BATRA)
JUDGE

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