



221

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9194-2025

Date of Decision: 21.02.2025

Lovepreet Singh @ Labbi

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Robindeep Singh Bhullar, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.110 dated 15.07.2024 registered under Sections 109(1), 126(2), 115(2), 3(5) of BNS (Section 117(2) of BNS added later on), at Police Station Sadar Kotkapura, District Faridkot.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner was allegedly armed with ice '*sua*', whereas his co-accused, namely, Jaspreet Singh @ Jassu was armed with *Kaapa*. Further, it was alleged that the petitioner had caused an injury with *ice pick (sua)* on the left side of the scapular region and on the right side of the ear of the complainant and injury No.1 caused by the petitioner has been declared to be dangerous to life. Learned counsel further contends that in fact, the complainant party is having close relations with ASI Daljit Singh, who is resident of same village



and the entire evidence has been manipulated by the complainant side in collusion with him. Learned counsel further contends that the injured has already been discharged from the hospital and is hale and hearty. The petitioner was arrested in the present case on 30.07.2024 and is in custody for the last more than 06 months. Even the prosecution has not been able to examine even a single witness and custody of the petitioner will not serve any meaningful purpose. Learned counsel for the petitioner has also referred to the order dated 05.02.2025 (Annexure P-5) passed by this Court, whereby the co-accused, Jaspreet Singh @ Jassu has been granted the concession of bail by this Court.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that there is no other case against him.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is stated to be in custody for the last more than 06 months. Even challan has already been presented against the petitioner and no witness has been examined so far. Thus, there are no chances of early conclusion of the trial in near future and custody of the petitioner will not serve any meaningful purpose.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty



Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

21.02.2025
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(N.S.SHEKHAWAT)
JUDGE

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