

2025:PHHC:069937



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16076 of 2025
Date of Decision: 23.05.2025
Reserved on: 20.05.2025

Yakoob @ Saifu ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Virendra Pratap Singh, Advocate,
for the petitioner.

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

MANISHA BATRA, J.

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
94	25.04.2024	Dasuya, District Hoshiarpur	326, 323, 506, 148, 149 and 34 of IPC (307 of IPC added later on)

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 Neefu alleging therein that on 19.04.2024, there was a marriage in his relations at Village Kaluwal. He along with his relatives had gone to attend the same. During mehndi

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ceremony, the petitioner along with the co-accused Ranjha and Surmu who were present there, had started hurling abuses and they were stopped by the relatives of the complainant and then had left the spot. After sometime, the petitioner and co-accused came back. The accused Tajdin made an exhortation to catch the son of Sher Ali and that he should not be spared. Upon this, the co-accused Ranjha and Surmu caught hold of the victim Neefu and the petitioner opened an assault upon him by striking an injury in his abdomen by giving a khanjar blow with intent to kill him. Mukhtiar Ali who also rushed for rescue of Neefu had sustained injury at the hand of the petitioner, on his left shoulder. On hearing clamour, the other persons had started gathering at the spot and then the assailants fled.

3. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 16.07.2024. Offences under Sections 34 and 201 of IPC were added whereas offences under Sections 148 and 149 of IPC were deleted. The investigation now stands completed and challan has been presented against the petitioner.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated by the complainant on the instigation of other persons. As many as 250 persons were present at the place of occurrence. A sudden altercation had taken place between the relatives on account of some misunderstanding. The petitioner had been wrongly named therein. There was no motive for him to assault the victim who is his relative. A compromise has even otherwise been arrived at between the parties. The

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petitioner is in custody since long. Trial is likely to take time. His further incarceration would not serve any useful purpose. He has clean antecedents. With these broad submissions, it is urged that he deserves to be released on bail.

5. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of regular bail.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have opened an assault upon the complainant Neefu. The petitioner is further alleged to have inflicted a blow with khanjar in the abdomen of the victim. The injury so sustained by the victim-complainant was declared to be dangerous to life. The petitioner is in custody since 16.07.2024. Trial is likely to take time to conclude as it has just commenced. Learned counsel for the complainant has affirmed the fact that a compromise Annexure P-2 has been executed between the parties. Though no authenticity whatsoever can be attached to this document at this stage as the same is to be assessed by the learned trial Court at the appropriate stage of the trial on the basis of the material produced before it, however, keeping in view the period of incarceration of the petitioner, the fact that trial would take time, his antecedents and the attendant 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.

23.05.2025
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(MANISHA BATRA)
JUDGE

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