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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRA-S-1255-2025****Date of Decision:24.04.2025**

Jagsir Singh @ Jagsir Singh Kang

...Appellant

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Sunny K. Singla, Advocate
for the appellant.

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

Mr. Gaurav Vir Singh Behl, Advocate
for respondent No.2/complainant.

N.S.Shekhawat J. (Oral)

1. The appellant has filed the present appeal against the impugned order dated 24.03.2025 passed by the Court of Additional Sessions Judge, Malerkotla, whereby the petition for grant of regular bail was ordered to be dismissed in a case arising out of FIR No.12 dated 23.02.2025 under Sections 115(2), 333 of BNS, 2023 and Section 3(1)(r), 3(1)(s) of SC and ST (Prevention of Atrocities) Act, 1989 (Amendment 2015), registered at Police Station Sandaur, District Malerkotla.

2. Learned counsel for the appellant has vehemently argued that the FIR in the present case was got registered by the complainant after a delay of one day and the delay was utilized by the complainant in coining a false version against the present appellant. He further contends that as per the allegations

levelled by the complainant, the appellant had caused an injury with gandasi on the right hand of the complainant. However, the complainant has recovered from the injury and is hale and hearty. The appellant was arrested in the present case on 22.02.2025 and is in custody since then. Even the investigation against the appellant is almost complete and challan is likely to be presented shortly.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the appellant on the ground that serious allegations have been levelled against the appellant. Learned counsel also further submitted that the appellant is also involved in one more case of similar nature.

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

5. In the present case, the appellant is continuing in judicial custody since 22.02.2025 and the investigation is almost complete. The injured already stands discharged from the hospital. Thus, further custody of the appellant will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present appeal is allowed and the appellant 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 appellant 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 appellant shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The appellant shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The appellant 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 appellant 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 appellant 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 appellant.*

24.04.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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