



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

222

CRM-M-21986-2025

Date of decision: 11th July, 2025

Kamalpreet Singh @ Kamal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Avtar S. Khinda, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 04 dated 06.01.2025 registered under Sections 221, 132, 109, 194(2), 351(2) and 285 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Mehatpur, District Jalandhar.

2. The aforementioned FIR was registered on the basis of statement recorded by ASI Sarabjeet Singh on 06.01.2025, alleging that on the same day at about 8:00 PM, he along with other police officials was performing checking duty at bus stand, Mehatpur, when one swift car bearing registration No. PB-29-AF-7056 came from Nakodar side. The occupants of the car were playing the music very loudly. The complainant gave a signal to stop the vehicle, but the car driver increased the speed of the



vehicle and tried to run him over. He had a narrow escape. The driver was apprehended. He could not produce any documents regarding the ownership of the car. Then, he took out a sword from the car and tried to strike a blow with the same with the intent to kill the complainant, but he saved himself. The said person started extending threats to the general public and created panic. He was, however, apprehended again on the allegation that he had caused obstruction in performance of the public duty of the complainant and other police officials and had opened an attack upon him, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated and now the same stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 06.01.2025. The offence under Section 109 is not made out against the petitioner, as no injury, whatsoever has been sustained by anyone in the alleged occurrence. He has clean antecedents. Trial will take time. His further incarceration would not serve any useful purpose. Therefore, it is, urged that he deserves to be released on bail.

4. Notice of motion.

5. Learned Assistant Advocate General, Punjab, has advance notice of the petition and has placed on record custody certificate of the petitioner and is ready to argue the matter. It is submitted by him that there are grave allegations against the petitioner. There are chances of petitioner's absconding, if extended benefit of bail and therefore, it is, urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable



length and have gone through the record carefully.

7. The petitioner is alleged to have caused obstruction in performance of lawful duty of the complainant and other police officials as on the date of occurrence and is also alleged to have opened an assault with an intent to kill the complainant and caused injuries to other police officials. However, no injury whatsoever had been sustained by anyone. The petitioner is in custody since 06.01.2025. Trial will take considerable time to conclude. It is well settled proposition of law that bail is the rule and jail is an exception. In my considered opinion, no purpose is going to be served by keeping the petitioner in custody anymore. As such, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th July, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No