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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-23933-2025
Decided on : 03.11.2025

SAHILPREET SINGH ALIAS SAHIL
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH
Present: Ms. Ekjot Sandhu, Advocate, and
Mr. Hagun Singh Sandhu, Advocate, for the petitioner.
Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sahilpreet Singh alias Sahil, aged about 19 years	79	15.07.2024	109, 115, 118(1), 191(3), 190 of BNS	Majitha	Amritsar Rural, Amritsar

2. Learned counsel for the petitioner contends that FIR in question was lodged by complainant Ravinder Singh @ Ravi, who stated that he is running a restaurant under the franchise name Hungary Point at Majitha. On 13.07.2024 at about 8:45 p.m., while the complainant along with his partner Jagjit Singh was working at the restaurant, (i) Sahilpreet Singh (petitioner herein), armed with an iron punch, (ii) Jobanjit Singh,



armed with a *datar*, (iii) Sunny Shergill, armed with a *kirpan*, and two unknown associates entered the restaurant. It is alleged that Sahilpreet Singh, who was earlier employed as a servant by the complainant, raised a *lalkara* and, with the help of his associates, dragged Jagjit Singh outside the restaurant. Thereafter, Jobanjit Singh is stated to have inflicted *datar* blows on the head and left wrist of Jagjit Singh, while Sahilpreet Singh allegedly gave a punch blow to Jagjit Singh on his head, and the remaining persons dragged him on the ground. Accused Sunny Shergill is further alleged to have caused *kirpan* blows to the complainant on both hands and on the head. On raising alarm, all the assailants fled from the spot.

3. Learned counsel argues that petitioner, Sahilpreet Singh, has been attributed only a single injury on the person of Jagjit Singh, that too on the left side of the head, allegedly caused with an iron punch. No medical opinion is available regarding the said injury, and therefore, same is to be treated as simple in nature. It is further submitted that the injured person had left the hospital on his own. The occurrence allegedly took place on 13.07.2024, whereas the medical examination was conducted only on 16.07.2024, thereby rendering the prosecution story doubtful as to whether the injuries were sustained in the same incident or subsequently. Even the FIR was registered after a delay of two days, on 15.07.2024. Though charges were framed on 28.01.2025, the applicability of Section 109 of the BNS remains highly doubtful. Moreover, the trial is proceeding at a very slow pace. It is also submitted that after completion of the investigation, *challan* has already been



presented; however, none of the prosecution witnesses, out of total 20, has been examined, so far.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 01.11.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 02 months and 17 days period inside jail and there is no other case registered against him.

5. On the other hand, learned State counsel, while opposing the submissions advanced by learned counsel for the petitioner, submits that injuries suffered by the victim were duly recorded during the medico-legal examination. It is further submitted that injury attributed to the petitioner was such that the injured required stitches administered by the doctors; therefore, the contention raised by petitioner's counsel that the injury was simple in nature is incorrect. Thus, learned State counsel prays for dismissal of the present petition.

6. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available on file.

7. It is evident that injury attributed to the petitioner has not been declared as dangerous to life. The alleged wound, said to have been inflicted by the petitioner with an iron punch, had healed after receiving total four stitches. Out of total 20 prosecution witnesses cited, none has been examined, till date. Another aspect worth noticeable is that the



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injured himself had left the hospital on his own, and it would also be a matter for consideration before the trial court as to why the medical examination was conducted only on 16.07.2024, whereas the alleged incident took place on 13.07.2024.

In view of the totality of the circumstances, nature of the allegations, and the facts noticed hereinabove, this Court is of the opinion that liberty of the petitioner cannot be curtailed for an indefinite period. Accordingly, this Court deems it appropriate to extend the concession of regular bail to the petitioner in the present case.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.11.2025

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**