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

CRM-M-23793-2025

Date of decision: 29.07.2025

Satpreet Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Vishal Satija, Advocate
for the complainant.**HARPREET SINGH BRAR, J. (ORAL)**

The present petition has been filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No.21
dated 30.01.2025 under Sections 115(2)/118(1)/126(2)/109 of BNS registered
at Police Station Mullanpur Garibdass, District SAS Nagar Mohali.

The FIR (*supra*) was registered on the basis of allegations levelled
in the FIR which is reproduced as below:-

'FIR No.21 dated 30.01.2025 u/s 115(2), 118(1), 126(2), 109 of BNS 2023, P.S Mullanpur, District S.A.S Nagar Copy of statement, statement of Gurtej Singh s/o Satnam Singh r/o Village Hoshiarpur, P.S Mullanpur Garibdass, District S.A.S Nagar aged about 40 years mobile 98150-36663. Stated that I am resident of above mentioned address. I am posted as Senior Assistant at Secretariat. On 28.1.2025, I was returning to my village Hoshiarpur after doing my duty. I reached at Jassa Juice Bar at main road, where my father Satnam Singh s/o Zira Singh r/o Village Hoshiarpur, P.S Mullanpur Garibdass, District S.A.S Nagar was coming from fields. I took fruits from Jassa Juice Bar and was about to sit in my car bearing registration number PB-65-AH-7744. At about 05:30PM, Satpreet Singh s/o Balwinder Singh r/o Village Seonku came to me who in relation, is son-in-law of material uncle of my wife Bajit Kaur and my brother- in-law. He was carrying sharp edge knife in his hand. He gave blow of knife carried by him in right hand, on my neck from backside with an intention to kill which hit at left side of back of my neck. Satpreet Singh gave second blow on my left shoulder with an intention to kill. He again gave third blow on my left shoulder. I raised my left hand to protect myself. Abovesaid person gave fourth, fifth and sixth blow on my left arm



repeatedly Three blows hit my left biceps. After giving injuries on my neck, left shoulder and left arm, Satpreet Singh said that I will not leave you alive today and gave four blows repeatedly on my head with an intention to kill, which hit backside of my head below turban, above the turban, top of the head and on left side of head above ear. He had given ten knife blows upon me by that time. Satpreet Singh gave eleventh blow on my right check which crossed my check. Satpreet Singh gave one more blow on my check. Satpreet Singh gave another blow to me which hit window of car and crossed the car. I shouted for help. Jassa and my father Satnam Singh shouted as "killed-killed". Jassa, my father and other persons came to me. Satpreet Singh thought I was dead and ran away seeing other persons. If Jassa, my father and other persons wouldn't be at the spot, then abovesaid Satpreet Singh would have killed me. Jassa arranged vehicle and brought me to PGI Chandigarh for treatment. I am under treatment here. Grudge is that Satpreet Singh is my brother-in-law in relation and FIR is registered against him regarding fighting. Satpreet Singh pressurized me for cancellation of FIR being posted at Secretariat but I do not help the person who is against law. On my refusal, Satpreet Singh attacked upon me with an intention to kill. Legal action be taken against Satpreet Singh. Statement has been recorded to you which was readover to me and same has been accepted as correct. Satpreet Singh has attacked upon me with the intention to kill. Sd/- Gurtej Singh, ASI Rakesh Kumar P.S Mullanpur Garibdass dated 30.01.2025.'

Learned counsel for the petitioner *inter alia* contends that it is a case of version and cross-version. The offence under Section 307 of IPC has been invoked by the jurisdictional police authorities without obtaining the medical opinion of the Doctor. Further, the petitioner has also suffered injuries at the hands of the complainant party. He further submits that a compromise has been effected between the parties at the instance of the respectables and the petitioner and the complainant are closely related. Copy of compromise is placed on record as Annexure P-3. The petitioner has suffered incarceration of almost 06 months and till date, out of total 20 prosecution witnesses, not even a single witness has been examined.

Learned counsel for the complainant appears and affirms the factum of compromise and submits that he has no objection in case the present petition is allowed and the petitioner is enlarged on regular bail.



The learned State counsel has filed custody certificate in the Court today which is taken on record and per contra, opposes the grant of regular bail to the petitioner on the ground of serious and specific allegations against the petitioner and further submits that the petitioner is involved in one more case and does not entitle to any relief.

A two Judge Bench of Hon'ble Supreme Court in '**Satender Kumar Antil v. CBI**' (2022) 10 SCC 51, with respect to prevailing conditions of undertrial prisoner in India has observed:

“6. Jails in India are flooded with undertrial prisoners. The statistics placed before us would indicate that more than 2/3rd of the inmates of the prisons constitute undertrial prisoners. Of this category of prisoners, majority may not even be required to be arrested despite registration of a cognizable offence, being charged with offences punishable for seven years or less. They are not only poor and illiterate but also would include women. Thus, there is a culture of offence being inherited by many of them. As observed by this Court, it certainly exhibits the mindset, a vestige of colonial India, on the part of the investigating agency, notwithstanding the fact arrest is a draconian measure resulting in curtailment of liberty, and thus to be used sparingly. In a democracy, there can never be an impression that it is a police State as both are conceptually opposite to each other.”

Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is behind the bars since 04.02.2025. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not



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made much progress as out of 20 prosecution witnesses, none has been examined so far. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

Keeping in view the law laid down by the Hon'ble Supreme Court of India in '*Prabhakar Tewari Vs. State of U.P. and another*' 2020 (1) R.C.R. (Criminal 831) and '*Maulana Mohd. Amir Rashadi Vs. State of U.P. and Another*', 2012 (2) SCC 382, the involvement of the petitioner in other cases would not be a ground to refuse grant of concession of regular bail.

In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Satpreet Singh, is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

29.07.2025

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