

2025:PHHC:085945



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.26240 of 2025
Date of Decision: 16.07.2025
Reserved on: 14.07.2025

Jatinder Singh @ Sunny ... Petitioner

Versu

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. J.S. Jaidka, Advocate and
Ms. Garima Arora, 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
01	01.01.2025	Daba, District Ludhiana	118(1), 118(2), 126(2), 351(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. As per the allegations, on the night of 08.12.2024, the complainant Simranjeet Singh was standing in the street of his house along with his friend Gursewak Singh when the petitioner reached there

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along with the co-accused and some unknown persons and opened an attack upon his friend and himself. All of them were armed with weapons. Accused Mahinder struck a blow with iron daat on his head. Accused President struck a blow with iron daat thereby injuring his ear. The petitioner and co-accused Jeeti struck blows with iron daat thereby injuring his leg. His friend Gursewak Singh also sustained injuries at their hands. They raised alarm and then the assailants fled from the spot. On his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner was arrested on 23.03.2025. Some of the co-accused were also arrested. Investigation qua the petitioner stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 23 days in lodging of the FIR which has not been explained. The injury as attributed to the petitioner is on non vital part. The head injury has not been attributed to him. He is in custody since 23.03.2025. The subject offences are triable by Magistrate. The trial will take considerable time to conclude. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. It is also submitted that the injury caused by the petitioner to the complainant was declared to be grievous in nature.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have

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formed membership of an unlawful assembly and in prosecution of common object thereof, the complainant and his friend were instigated, assaulted and were criminally intimidated. The subject offences are triable by Magistrate. The petitioner is in custody since 23.03.2025. The trial will take time to conclude. The further incarceration of the petitioner will not serve any useful purpose. He does not have any criminal antecedents. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the afore discussed facts, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same 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.

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

16.07.2025
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(MANISHA BATRA)
JUDGE

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