



CRM-M-32823-2025

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

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**CRM-M-32823-2025
Decided on :24.06.2025**

Sandeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. H.P.S. Ghuman, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, 2023 seeking regular bail in case FIR No.36 dated 18.04.2025 (P-1), under Sections 115(2), 118(1), 127(1), 351(2), 191(3), 190 of BNS (Section 109 of BNS was added later on), registered at Police Station Kotwali Nabha, Tehsil Nabha, District Patiala.

2. Counsel for the petitioner submits that the name of the petitioner does not find mention in the FIR. It is only subsequently, during the recording of the supplementary statement of the injured Aman, that allegations were made implicating the petitioner along with one Vikas, stating that they inflicted injuries on Aman's head.

Learned State counsel, however, submits that the specific injury falling under Section 109 of the Bharatiya Nyaya Sanhita (BNS) has been attributed to another accused, namely Kala, who allegedly

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struck the injured Amanpreet Singh on the head with the handle of a handpump.

It is further argued by counsel for the petitioner that despite the petitioner having been in custody and subjected to police interrogation during the course of investigation, no weapon has been recovered from his possession.

3. Learned State counsel is unable to dispute this contention.

4. After hearing learned counsel for the parties and considering the fact that the petitioner's name does not appear in the initial version of the FIR, and that the primary injury under Section 109 BNS is attributed to co-accused (Kala), this Court is of the opinion that the case warrants consideration for the grant of bail.

This Court is also of the considered view that the petitioner deserves a fair opportunity to rehabilitate and reintegrate into society. Without expressing any opinion on the quality or sufficiency of the prosecution's evidence, and having regard to the petitioner's prolonged incarceration and the fact that the trial is still at a preliminary stage, with material witnesses yet to be examined, the Court is of the opinion that the petitioner's personal liberty ought not to be curtailed indefinitely.

5. 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

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6. However, it is clarified that in the event the petitioner is found to be influencing the witnesses, either directly or indirectly, it shall be open to the prosecution, the complainant, or the injured witnesses to move an appropriate application for cancellation of bail.

7. Any of the discussion done and recorded hereabove, 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.06.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*