

2025:PHHC:083613



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

**CRM-M-35060-2025
Date of Decision:11.07.2025**

Narinder Singh @ Nindi Masih

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Navinder Jit Singh Dandiwal, Advocate
for the petitioner(s).

Ms. Simran Gorla, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.16 dated 20.01.2024 under Sections 379-B(2)/380/452/323/506/427/148/149 of IPC, 1860 (Sections 324 and 326 of IPC were added later on) registered at Police Station Ajnala, District Amritsar Rural (Annexure P-1).

2. Succinctly, facts of the case are that the instant FIR was registered on the statement of the complainant Navtej Singh son of Gurbhej Singh. It has been alleged that on 20.01.2024 at about 07:30 p.m. when he and his family members heard a loud noise. Then he and his father went to the roof of their house, they saw a gathering of 30-35 men duly armed with deadly weapons like kirpan, baseball, dang, sotas, kahi etc., and they were assembled in the street and were led by Nindi Masih (petitioner) son of Munshi Masih. They entered into house and shop of the complainant and thereafter, they vandalized

the shop and articles in the shop and car of his son-in-law which was parked outside of his house. Nindi Masih (petitioner) also inflicted injuries with datar on the left leg of Gurbhej Singh (father of the complainant). It was alleged that he snatched one gold chain of Sandeep Kaur (wife of the complainant) and money from the shop. Request was made to take legal action. On registration of FIR, the investigation commenced. The petitioner was arrested on 20.01.2024. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 31.07.2024 (Annexure P-2). Thereafter, he approached this Court by way of filing CRM-M-40428-2024 (Annexure P-3), which was dismissed as withdrawn on 10.03.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present second petition.

3. It has been contended by learned counsel for the petitioner that the petitioner has been roped falsely and frivolously in the present case. He further submits that the case has been planted upon the petitioner due to political rivalry in the village. He submits that even otherwise petitioner is behind bars since the date of his arrest i.e. 20.01.2024 but there is no progress in the trial as prosecution has not examined even a single witness. He submits that the petitioner has suffered incarceration of 01 year, 05 months and 17 days and he has no criminal antecedents and he has never been involved in any other case. He submits that in view of the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. She submits that petitioner is the main accused, who has not only been specifically mentioned in the FIR rather he has

led the unlawful assembly of 30-35 men in the street. She submits that out of 07 accused, 02 accused are yet to be arrested. She has placed on record the custody certificate of the petitioner and submits that out of total 28 prosecution witnesses, no witness has been examined so far.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the present case on 20.01.2024., however, the prosecution has not examined even a single witness so far. The custody certificate would reflect that the petitioner has suffered incarceration of 01 year 05 months & 17 days as on 10.07.2025. Admittedly, it further reflects that the petitioner has no criminal antecedents.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Needless to say, that petitioner has fundamental right of speedy trial. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.07.2025

Parveen kumar

**(RAJESH BHARDWAJ)
JUDGE**

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No