

2025:PHHC:105361



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

CRA-S No.2100 of 2025

Date of decision: 13.08.2025

Reserved on: 11.08.2025

Amninder Singh Mann

... Appellant

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

**Present:- Mr. L.S. Sidhu, Advocate,
for the appellant.**

**Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.**

**Mr. B.S. Jattana, Advocate,
for respondent No.2.**

MANISHA BATRA, J.

1. The present appeal has been filed under Section 14-A (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (For short “SC/ST Act”) by the appellant challenging the order dated 23.06.2025 passed by the learned Additional Sessions Judge, Mansa, whereby an application filed by him under Section 483 of of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) for grant of regular bail in case arising out of FIR No.65 dated 01.05.2025, registered under Sections 109, 115(2), 191(3), 190 and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’), Sections 25 and 27 of

2025:PHHC:105361



Arms Act, 1959, Section 3 of SC/ST Act and Section 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS') at Police Station City-2, Mansa, District Mansa had been dismissed.

2. Brief facts relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Raghvir Singh alleging that he belonged to Ramdasia Sikh caste and was practising as an Advocate at Sessions Court, Mansa. The appellant who is also practising lawyer therein had occupied one chamber bearing No.231 that had been allotted to advocates Ravinder Mehta and Jiwan Parocha. The complainant had requested the appellant to not to do so and at this, the appellant insulted him in the name of his caste by calling him "Chura Thed" and by saying that the profession of advocacy was not for him (complainant). By uttering these words in presence of three persons namely, Nazam Singh Chahal, Monu Tomar and Karamjit, he had insulted him. The complainant further alleged that on 30.04.2025 also, several Advocates had asked the appellant to vacate the chamber No.231, however, the appellant had made an exhortation by again calling him in the name of his caste and insulting him while further proclaiming that he would not give the chamber. He was armed with a revolver at that time and had fired a shot with the same towards the complainant with an intention to kill him. Two other rounds were fired towards the father of the complainant and

2025:PHHC:105361



towards Nazam Singh Chahal. His accomplices Dharam Singh Pannu had struck a blow with sword upon the complainant but he managed to save himself. A blow with the butt of revolver had been given by the appellant on the left eyebrow of father of the complainant and then they had left the spot. While alleging that the appellant had now been intimidating him by uploading photographs of weapons on his Facebook account and had insulted him in the name of caste and also assaulted him, the complainant prayed for taking action. After registration of FIR, investigation proceedings were initiated. The appellant was arrested on 05.05.2025 and is in custody. Investigation now stands completed. He had filed an application for grant of regular bail which has been dismissed by the Court of learned Additional Sessions Judge, Mansa vide order dated 23.06.2025.

3. It is argued by learned counsel for the appellant that the impugned order dated 23.06.2025 is not sustainable in the eyes of law as while passing the same, the Court of learned Additional Sessions Judge did not consider the fact that the ingredients for commission of offences as mentioned in the FIR had not been made out as against the appellant. No injury had been sustained at his hands by the complainant. Injury allegedly suffered by his father was a simple one. The allegation that he had made caste related remarks against the complainant are false on the face of the same. He is in custody since long. His further incarceration

2025:PHHC:105361



will not serve any useful purpose. The matter has even otherwise been compromised between the parties. It is, therefore, urged that the impugned order is liable to be set aside and he deserves to be released on bail.

4. Learned Assistant Advocate General, Punjab has filed custody certificate. It is argued by him that there is no illegality in the impugned order and it is, therefore, urged that the appeal does not deserve to be allowed.

5. On the other hand, learned counsel for respondent No.2-complainant has affirmed the fact that a compromise has been arrived at between the parties and that the respondent No.2 has no objection, if the appeal is allowed.

6. This Court has considered the rival submissions.

7. The appellant is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that assembly, he is alleged to have extended threats to the appellant and is also alleged to have made an attempt to commit murder of the complainant as well as his father. However, no injury dangerous to life has been sustained by father of the complainant. He is in custody since 05.05.2025. Investigation now stands concluded. The appellant has placed on record Annexure A-5 copy of a compromise shown to have been executed between the complainant and the appellant. Though no

2025:PHHC:105361



consideration can be given to this document at this stage, however, keeping in view the period of incarceration of the appellant, the well settled proposition of law that bail is the rule and jail is an exception coupled with the attendant facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudice the trial, this Court is of the opinion that the appellant deserves to be extended benefit of bail. Accordingly, the appeal is allowed, the impugned order is set aside and the appellant is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

13.08.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No