

2025:PHHC:087428



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

**CRM-M-36466-2025
DECIDED ON: 17.07.2025**

SAMARJEET SINGH @ ABHI NAJAR **....PETITIONER**

VERSUS

STATE OF PUNJAB **....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kanwalpreet Singh Virk, Advocate
for the petitioner.
Mr. Rajiv Verma, Senior DAG Punjab

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 483 BNSS, 2023 seeking regular bail to the petitioner in FIR No. 14 dated 12.02.2025 u/s 303(2), 118(1), 109, 324(2), 351(2), 191(3) BNS, PS City Jalalabad, District Fazilka.

2. Contentions:

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific role has been attributed to him. He contends that there is unexplained delay of 8 days in lodging the FIR. He argued that all the injuries on the person of the complainant are with sharp edged weapon, whereas the petitioner is stated to be armed with a baseball bat. He further submits that investigation in the matter is complete, challan stands presented and nothing is to be recovered from the petitioner, therefore, no useful purpose would be served by keeping the petitioner behind bars.

On behalf of the State

On the other hand, learned State Counsel has filed the custody certificate of the petitioner, which is taken on record. According to which, the petitioner is behind bars for 2 months and 6 days.

Learned State Counsel, on instructions from the Investigating Officer, opposes the prayer for grant of regular bail, submitting that the petitioner, being a member of an unlawful assembly, actively participated in the commission of the alleged offence and inflicted multiple injuries upon the complainant.

3. Analysis

Considering that the FIR was registered after a delay of eight days without any satisfactory explanation, coupled with the fact that the State has failed to produce any medical opinion regarding the nature of the injury, and further noting that the investigation has been completed, challan has been presented to the Court on 04.07.2025, and nothing remains to be recovered from the petitioner, therefore, this petition deserves to be allowed.

4. Relief:

In view of the discussions made hereinabove, the petitioner is hereby directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

In the afore-said terms, the present petition is hereby allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

17.07.2025

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No