



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36493-2025

Reserved on: 20th August, 2025

Pronounced on: 27th August, 2025

Jaspal Singh @ Neetu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 84 dated 06.07.2024 registered under Sections 331(6), 115(2), 118(1) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 109 of BNS added later on) at Police Station Nehianwala, District Bathinda.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a statement recorded by the complainant Gurjeet Singh, on 06.07.2024, alleging therein that on the night of 03.07.2024, the petitioner, along with the co-accused, while being armed with weapons, opened the gate of his house and entered inside. They opened an assault upon him and caused injuries to him with their respective weapons. On clamour being raised by



him, his mother reached there and then the petitioner and the co-accused fled from the spot. The motive attributed to the assailants was a dispute between Gurpanth Singh, who is his friend and the accused Jaspal Singh. Gurpanth Singh had visited the complainant's house on the same night, thereby offending the accused Jaspal Singh and the co-accused. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested and is in custody since 29.08.2024. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody 29.08.2024. The co-accused Kashmir Singh and Boota Singh whose case is on similar footing have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His further incarceration would not serve any purpose. He is ready to abide by the terms and conditions imposed upon him. With these broad submissions, it is urged that the petition deserves to be allowed.

4. *Per contra*, it is argued by learned State counsel that there are serious allegations against the petitioner, who in furtherance of his common intention with the co-accused had criminally trespassed into the house of the complainant and had voluntarily caused simple as well as grievous injuries to the victim. The injury that has been attributed to him has been opined to be dangerous to life. Keeping in view the gravity of the allegations, the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner along with the co-accused is alleged to have voluntarily caused injuries to the complainant. He is in custody since



29.08.2024. The co-accused Kashmir Singh and Boota Singh have been extended benefit of bail. Though a serious injury has been attributed to him, however, the petitioner is now in custody for a period of about one year. The material witnesses are not coming forward to examine themselves so far. Trial will take considerable time to conclude. As such, no useful purpose would be served by detaining the petitioner in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances of the case, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*