



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

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CRM-M-38517-2025 (O&M)
Date of Decision:- 18.11.2025

Basant Singh @ Rinku ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Lovish Arora, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.51 dated 17.03.2025, registered under Sections 109, 132, 221 and 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 25 of Arms Act, 1959, at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner is in custody since 21.03.2025 and no injury has been caused to any police officials. The present petitioner and co-accused received injuries on their legs; investigation in the present case has already been completed; there is no apprehension that after release, the petitioner will tamper with the prosecution evidence as all the witnesses are police officials; and the trial will take sufficient time to conclude as none out of total 23 prosecution witness has been examined till date. Hence, learned counsel prayed for grant of regular bail to the petitioner.

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3. On the other hand, learned State counsel has opposed the bail petition of the petitioner by submitting that the petitioner is a habitual offender as he is involved in 2 other cases; he along with co-accused attacked the police party and fired gun shot; and prayed for dismissal of his bail petition in view of seriousness of allegations against the petitioner-accused.

4. Heard.

5. Keeping in view the fact that the petitioner has been behind bars for the last about 7 months and 27 days; no gun shot injury has been caused to police party; MLR placed on record shows only pain; trial will take sufficient time to conclude as out of 23 prosecution witnesses, no PW has been examined; there is no apprehension that after release, the petitioner will tamper with the prosecution evidence; and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciation of evidence adduced by both the sides, and it is a trite principle of criminal jurisprudence that bail is the rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned



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Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

18.11.2025

Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No