



CRM-M-41019-2025

-1-

(237)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41019-2025

Date of Decision: 05.08.2025

SHAMINDER SINGH @ SIMMU

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. J.K. Singla, Advocate and
Ms. Suman Rani, Advocate
for the petitioner.

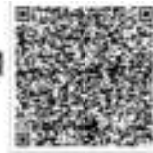
Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.45 dated 19.02.2022 registered under Sections 308, 323, 341, 148, 149 IPC, 1860 at Police Station Bhikh, District Mansa.

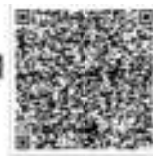
2. The present FIR came to be registered at the instance of Gurpreet Singh S/o Kewal Singh and the same reads as under:-

“Copy of statement, Statement of Gurpreet Singh Son of Kewal Singh, resident of Village Atla Khurd, aged about 21 years, M. No.8360677738 stated that I am resident of above mentioned address and doing household work. We are two brothers, I am elder and younger brother is Harpreet Singh. Today, at about 10 that I and my friend Karan Singh Son of Binder Singh, resident of village Khiala Kalan was present in our house then from our village Sukhi Singh son of Mohinder Singh resident of village Atla



Khurd called me at playground of our village and I along with my friend Karan Singh went to playground then Sukhi Singh firstly did hello/hand-shake and thereafter, after did hello/hand-shake with my friend Karan Singh then put his hand into bangle/ kara of Karan Singh and raised lalkara that come then in the meantime, Lok Singh, resident of Bhupal armed with wooden Bala, Sukchain Singh @ Bhujia Son of Mohinder Singh, resident of village Matti armed with Gandasa, Jassa Singh, resident of Cheema armed with Dang, Shaminder Singh @ Simu son of Jarnail Singh, resident Bhikhi armed with Dang and Bhupinder Singh, resident of Khiva Dialuwala armed with stick come and then Lok Singh gave his wooden Bala blow on joint of my right leg, Sukchain Singh @ Bhujia gave gandasa blow from reverse side on joint of my left leg, Jassa Singh gave dang blow on anke of my left leg, Shaminder Singh @ Simu gave dang blow of my chest and Bhupinder Singh gave stick blow on my left wrist and thereafter, Semi, resident of Dhalewan and Fauji resident of Alisher armed with sticks come behind them and who after come then Semi Singh of Dhalewan gave stick blow on head of Karan Singh and Fauji Singh gave blow on ankle of left arm of Karan Singh and thereafter, we shouted "Marta-Marta" then all of them fled away from the spot. My heirs after arranged the vehicle got admitted us in Civil Hospital, Bhikhi for treatment. The above said accused persons caused injuries to me and my friend Karan Singh after surrounded us in playground. Reason for enmity is that earlier we were together and now they were doing wrong act and I was stopped them and due to this grudge, they have caused injuries to me and Karan Singh. Statement recorded, heard and correct. Action be taken. Ad/- Gurpreet Singh."

3. The learned counsel for the petitioner contends that taking the allegations to be correct, only a simple injury with a Dang has been attributed to the petitioner. Though, the petitioner was declared a proclaimed offender,

**CRM-M-41019-2025****-3-**

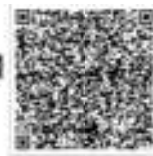
it was because he had been arrested in another case. In the instant case, he has undergone more than 05 months of actual custody. As none of the 09 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner is a habitual offender with six other cases registered against him. After being granted bail, he absconded and was declared a proclaimed offender. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody for the last more than 05 months, that none of the 09 prosecution witnesses have been examined so far and that the injuries received by the complainant are simple in nature.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody for the last more than 05 months but none of the 09 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Shaminder Singh alias Simmu S/o Jarnail Singh is ordered to be released on bail subject to his furnishing bail bonds

**CRM-M-41019-2025**

-4-

and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

9. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

10. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

11. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

05.08.2025

JITESH

Whether speaking/reasoned:- Yes/No**Whether reportable:- Yes/No**