



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

229

**CRM-M-43873 of 2025
Date of Decision: 18.11.2025**

Amritpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. J.S. Johal, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.16 dated 15.02.2024 registered under Sections 323, 324, 148, 149 of IPC (Final report presented under Sections 323, 324, 148, 149, 325, 326, 307 of IPC), at Police Station Shri Hargobindpur, District Batala.

2. Brief facts of the present case are that as per the prosecution, the petitioner along with co-accused attacked the complainant with an intention to kill him .

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He submits that the FIR in the present Case is concocted as it was registered after 3 days of the alleged incident, which also casts serious doubts upon the prosecution story. He further submits that present case is of version and cross-version and the petitioner has himself suffered grievous injuries in the occurrence. He further submits that if the prosecution version is believed to be

complainant, which is with a blunt weapon and for which section 325 IPC was added in the charge-sheet. To buttress his argument, he has relied upon the injury chart in para 4 of the reply of State. He further submits that the co-accused, who was attributed injury under section 307 IPC, has been declared innocent by the investigating agency. He further submits that the petitioner has clean antecedents, he is in custody since 12.02.2025, challan has already been filed, charges have been framed and no prosecution witness has been examined, as such conclusion of trial will take a long time to conclude. Hence he prays that the present petition be allowed.

4. Learned State counsel has already filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. Specific role has been attributed to the petitioner. However, he could not controvert the fact that the petitioner is a first-time offender and is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner has clean antecedents; he is in custody for the last more than 06 months; investigation is complete; challan stands filed; charges have been framed and the fact that trial may take a long time to conclude. No useful purpose would be served by keeping the petitioner in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon the judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein the Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of

India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

18.11.2025
Sk/D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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