

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

**CRM-M-52775-2025
Date of decision: 06.11.2025**

AMRITPAL SINGH ALIAS BABBI

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Amarpreet S. Bathindewala, Advocate
 for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

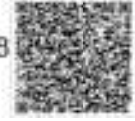
YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.86 dated 19.07.2024 registered under Sections 109, 333, 118(1), 115(2), 3(5) of BNS, 2023 at Police Station Sadar Bathinda.

2. Status report by way of an affidavit of Harvinder Singh, PPS, Deputy Superintendent of Police, Rural Bathinda filed on behalf of the State is taken on record.

3. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

4. The present case was registered on the basis of statement given to the police by Raju Singh with the allegations that on



14.07.2025, he was going in the street when Amritpal Singh @ Babbi (petitioner) and Navjot Singh @ Kali started abusing him and pushed him. Thereafter, he went to his home and was sitting on a cot in the verandah. Thereafter, both Amritpal Singh @ Babbi armed with a kirch and Navjot Singh armed with a dang came there. Amritpal Singh @ Babbi attacked him with a kirch with an intention to kill him which hit in his abdomen while Navjot Singh gave dang blow on his chest. When he cried for help, people started gathering at the spot and thereafter, both of them fled away alongwith their weapons. Matter was investigated. Petitioner was arrested on 25.07.2024 and co-accused was also arrested. After completion of investigation, final report has been presented against the accused for trial.

5. Learned counsel for the petitioner contended that petitioner has been falsely implicated. One kirch blow is attributed to the petitioner. Petitioner is in custody since 25.07.2024. Challan has already been presented and trial has commenced. Victims stands examined during the trial and no material witness remains to be examined except official witnesses. The trial will take sufficiently long time to conclude and as such, no useful purpose will be served by detaining the petitioner in custody anymore and he may be released on bail.

6. On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, petitioner does not deserve the concession of bail.

7. Admittedly, petitioner is in custody since 25.07.2024. Trial has already commenced after framing of charge. The victim has already



been examined as the prosecution witnesses and there is thus no possibility of petitioner winning over the witnesses or intimidating them. Only formal witnesses or official witnesses remain to be examined. The trial is likely to take sufficiently long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioner in custody anymore.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

9. Pending misc. application(s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

06.11.2025
Priyanka Thakur

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