



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

**CRM-M-52971-2025
Date of decision: 24.09.2025**

KULWINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ishwarjot Singh, Advocate
for the petitioner.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.114 dated 09.05.2025 under Sections 204, 319(2), 338, 336(3), 340(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS, 2023') registered at Police Station Division No.8, District Ludhiana.

2. Learned counsel for the petitioner contended that the present petitioner is in custody for the last more than 04 months; the offences under which the present FIR has been registered, are triable by the Magistrate; no offence under Section 338 of BNS, 2023 is made out from the contents of the FIR as well as the final report; the petitioner is not involved in any other criminal activity except the present case. As such, learned counsel prayed for grant of regular bail to the petitioner.

3. Notice of motion.

4. Mr. Subhash Godara, Addl. A.G. Punjab, accepted the notice on behalf of the respondent-State and produced the custody certificate of the petitioner, which is taken on record. Learned State counsel fairly submitted

that the petitioner is not involved in any other criminal activity except the present case.

5. Heard.
6. Keeping in view the facts and circumstances of the case and the fact that petitioner is in custody since 13.05.2025 i.e. for the last more than 04 months; investigation has already been completed; the petitioner is not required for any investigation or custodial interrogation; the offences under which the present FIR has been registered, are triable by Magistrate; trial will take sufficient time to conclude 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 measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.
7. 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.
8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

September 24, 2025
manisha

(SUBHAS MEHLA)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |