

**CRM-M-52616-2025****-1-**

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

230**CRM-M-52616-2025****Date of decision: 8th December, 2025**

Pawandip Singh @ Kammu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 127 dated 25.05.2024 registered under Sections 323, 326, 379-B, 148 and 149 of IPC at Police Station Gharinda, Amritsar.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Shamsher Singh on 17.05.2024, alleging that he along with his brother was present near water factory, when the petitioner along with the co-accused and some persons unknown to them reached there while being armed with weapons. The accused Ravi made an exhortation to teach a lesson to the complainant qua entering into some dispute with them and then all others opened an assault upon the complainant and his brother.

The petitioner struck injuries with *datar* on the right arm and back of the

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brother of Baljit Singh, brother of the complainant, who had fallen down and was then assaulted by the co-accused. Co-accused Gopi snatched activa vehicle and cash amount of Rs. 2000/- from the complainant. Then all of them had managed to flee.

3. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 30.03.2025. Co-accused were also arrested. Investigation now stands completed. The petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 30.05.2025. He has clean antecedents. His further incarceration would not serve any useful purpose. Trial will take considerable time to conclude. The subject offences are triable by Magistrate. With these broad submissions, it is urged that the petitioner deserves to be released on bail.

5. Status report as well as custody certificate has been filed by learned State counsel. It is argued by her that the petitioner in connivance with the co-accused had voluntarily caused simple as well as grievous injuries to the complainant and his brother. The allegations against him are serious in nature. There are chances of petitioner's absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner along with the co-accused is alleged to have

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caused simple as well as grievous injuries to the victims. The grievous injury on the person of Baljit Singh has been attributed to him. However, he is in custody since 30.03.2025. Trial will obviously take considerable time to conclude. No useful purpose would be served by keeping him in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. It is also well settled that pre-trial incarceration should not be a replica of post-conviction sentence. The petitioner has no criminal antecedents. Taking into consideration the above discussed facts, this Court is of the considered option that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

- (i) he shall not absent himself on any date before the learned trial Court;
- (ii) he shall deposit his passport, if any, with the learned trial Court;
- (iii) he shall give the details of his mobile number at the police station concerned and shall not change the same without prior permission of the Court;
- (iv) he shall not delay the trial in any manner.

9. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application



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seeking cancellation of the bail.

10. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

11. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th December, 2025

Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |