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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-55070-2024
Date of decision:-30.01.2025

SUKHWINDER SINGH ALIAS SUKHWINDER SINGH DHILLON

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Yashpal Thakur, Advocate, for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), for grant of regular bail in the following case (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
150	06.07.2024	126(2), 115(2), 351(3), 3(5) of BNS (132, 221, 121 (1) 117 (2) of BNS added later on	Samrala, District Ludhiana

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is not having any criminal antecedents and is in custody since 18.09.2024 and after completion of investigation challan has already been presented before Illaqua Magistrate. Hence prayed for grant of



bail to the petitioner.

4. *On the other hand*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that the petitioner has caused one injury to Harveer Singh on his right elbow and another injury on the right bicep of Parminder Singh after scuffle with the complainant party and as such he does not deserve the concession of bail. However, he has admitted that challan having been presented in the trial Court, wherein 17 witnesses have been cited by the prosecution and till date none of them have been examined.

5. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered by one Harvir Singh friend of Amanpreet Singh on the allegations that Amanpreet Singh was married to Jashandeep Kaur about 7 months back who was allegedly having relationship with the petitioner. On 05.07.2024 the complainant alongwith his friend Amanpreet Singh, his mother Surinder Kaur and Parminder Singh had gone to the house of uncle of Jashandeep Kaur where they found Jashandeep Kaur coming out of Skoda car wherein the petitioner was sitting on the driver seat and on their inquiry from petitioner he came out of the car with iron rod and caused injuries to the complainant party. The matter was reported to police and FIR was registered.

6. It is evident from record that admittedly petitioner is not having any criminal antecedents and is in custody since 18.09.2024. After completion of investigation, challan has already been presented in Court wherein 17 witnesses have been cited by the prosecution and till date none of

them has been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case will take sufficient long time.

7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

30.01.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |