

2025.PHHC.171908



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

247

CRM-M-53895-2025

Date of decision: 9th December, 2025

Lovepreet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Virender Kumar, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

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. 107 dated 24.07.2024 registered under Sections 109, 115(2), 190, 191(2), 191(3) and 1185(1) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and (Section 118(2) of BNS added later on) and Section 25 of Arms Act, 1959 at Police Station Rori, District Sirsa.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant, Gurjeevan Singh, alleging that on the night of 20.07.2024, he along with his family members, was present in his house and his friend, Gurmeet Singh, had come to meet him. Suddenly, on

2025.PHHC.171908



hearing the noise of firing of some shots, his elder brother, Pargat Singh, went outside and found that three vehicles were parked outside the gate of their house. The complainant and his friend Gurmeet Singh also came outside. Within their sight, the petitioner along with the co-accused and some unknown persons alighted from the vehicles and opened an attack upon the complainant and others. Accused Sukhwinder Singh @ Gaggi struck a blow with a sword on the person of Pargat Singh. The petitioner struck a blow with sword on the head of Pargat Singh. The accused Amandeep fired a shot with a pistol towards them with intent to kill them, but they had a narrow escape. The other assailants also caused injuries to them. The complainant and his companions rushed inside their house to save themselves, but were assaulted in their house also, and thereafter, the assailants fled away. The complainant along with the other injured was rushed to the hospital. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, the petitioner was arrested on 04.11.2024. Co-accused were also arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 04.11.2024. No firearm injury has been attributed to him. It was a case of version and cross version as the members of his party had sustained several injuries in the incident and a cross FIR has also been registered. The co-accused Kulwant Singh, Joginder and Amandeep Singh have since been extended benefit of bail. The injuries as attributed to him have not been opined to be dangerous in nature. The

2025.PHHC.171908



continued detention of the petitioner will not serve any useful purpose. He has clean antecedents. With these broad submissions, it is urged that the petitioner deserves to be released on bail.

4. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and, in prosecution of the common object of that assembly, is alleged to have caused injuries to the victim. However, no specific injury has been attributed to him. No firearm injury had been received by the victim. The injury as sustained at the hands of the petitioner has not been opined to be dangerous to life. Though his presence at the spot and participation in the occurrence *prima facie* stands establish from the allegations in the FIR, however, pre-trial incarceration should not be a replica of post-conviction sentences. The petitioner has been in custody since 04.11.2024. No useful purpose is going to be served by detaining him in custody anymore. In view of the circumstances as enumerated above, coupled with the nature of the attribution made to the petitioner, his clean antecedents, on parity and the other factors peculiar to this case, this Court is of the

2025.PHHC.171908



considered opinion that no purpose would be served by detaining the petitioner in custody any further during the course of trial. For the reasons mentioned above, the petition 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.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

9th December, 2025

Parveen Sharma

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