



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

240**CRM-M-55052-2025 (O&M)****Date of decision:01.12.2025**

Karnail Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Deepinder Singh, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case arising out of FIR No.112 dated 22.12.2023, registered under Sections 341, 323, 506, 148 and 149 of IPC (Sections 307, 325 and 201 of IPC added later on) at Police Station Ghagga, District Patiala.

2. The petitioner has been booked and is facing trial for commission of the aforementioned offences on the allegations that he had formed membership of an unlawful assembly along with the co-accused and in prosecution of common object of that unlawful assembly, had voluntarily caused simple as well as grievous injuries to the complainant on 21.12.2023. The petitioner was arrested on 15.04.2025. Investigation now stands completed.

3. Learned counsel for the petitioner has argued that he has been

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falsely implicated in this case. It is a case of version and cross version. Virsa Singh, brother of the complainant had sustained injuries at the hands of the members of the complainant party, who were infact the aggressors. A cross case had been registered, though the FIR has been ordered to be cancelled and a protest petition has been filed. The trial will take considerable time to conclude as no prosecution witness has been examined so far. No useful purpose would be served by keeping him in custody anymore. Although he has been involved in other cases, he has been acquitted in all of them. Co-accused Rajinder Singh has been extended the benefit of bail. On parity, he too deserves to be given the same benefit. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that there are specific and serious allegations against the petitioner, who had struck blows with a *dang* upon the person of the victim, thereby causing injury to him. The overall impact of the injuries sustained by the victim was serious as these injuries were opined to be dangerous to life. There are chances of the petitioner's absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the record.

6. The petitioner is in custody since 15.04.2025. Investigation now stands completed and therefore, the petitioner is not required for the purpose of further investigation. Trial will take considerable time to conclude as no

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prosecution witness has been examined so far. Co-accused has also been extended benefit of bail. The fact that as to whether the petitioner can be linked with the commission of offence punishable under Section 307 IPC with the aid of Section 149 or not, is a matter of trial, which is to be concluded on thorough assessment of the evidence to be adduced before the trial Court and not at this stage. It is well settled proposition of law that bail is the rule and jail is an exception. Pre-trial incarceration of an accused should not be replica of post conviction sentencing. Keeping in view the above discussed facts and without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petitioner has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the satisfaction of the Court concerned/Duty Magistrate and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court.

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

01.12.2025*harjeet*

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No

(MANISHA BATRA)
JUDGE