



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

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CRM-M-59416-2024

Date of decision: 23rd January, 2025

Gurjeet Singh @ Jani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lupil Gupta, Advocate and
Mr. Rahul, Advocate for the petitioner.

Ms. Sakshi Bakshi, Deputy 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. 118 dated 06.10.2024 registered under Sections 109, 118, 126(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Rampura, District Bathinda.

2. As per the prosecution case, on 06.10.2024 the present petitioner accompanied by the co-accused intercepted the complainant Napinder Singh and opened an assault upon him thereby intending to kill him. The victim had sustained injuries at the hands of the petitioner and the co-accused. Four injuries were attributed to the petitioner which have been opined to be simple in nature, whereas, one injury sustained by the victim on



his head has been opined to be grievous in nature and the same was attributed to the co-accused Sahilpreet Singh.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 07.10.2024. Challan stands filed. Trial is likely to take time. His further detention would not serve any useful purpose. He does not have any criminal antecedents. Therefore, it is urged that he deserves to be released on bail.

4. Status report as well as custody certificate has been filed by respondent-State. It is argued by learned Deputy Advocate General, Punjab that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail.

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

6. The petitioner in furtherance of his common intention with the co-accused is alleged to have inflicted simple as well as grievous injuries to the complainant. He is in custody since 07.10.2024. Trial is likely to take time. The injuries attributed to the petitioner have been opined to be simple in nature. 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. Keeping in view the attending facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion 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.

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

[MANISHA BATRA]
JUDGE

23rd January, 2025
Parveen Sharma

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