



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

205

**CRM-M No.61103 of 2025
Date of decision : 7.11.2025**

Mandeep Singh @ Mann @ RmaanPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gagandeep Kaur, Advocate, for the petitioner
Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.204 dated 17.8.2025 under Sections 109, 115(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (Sections 238, 61(2) of BNS added later on), registered at Police Station Sadar Dhuri, District Sangrur.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Copy statement of Simardeep Singh alias Billa son of Manoj Kumar resident of Gandhi Basti Dhuri age 24 years mobile number 79869-99421 stated that I am a resident of the above address and work as a laborer. Today I went to work as a waiter at the Bhog of an elderly person in village Bhullarheri. Our neighbor Karan son of Jassi resident of Gandhi Basti Dhuri also went with me. There were other waiters from village Bhullarheri. After the Bhog, we finished all the work. After finishing the work, I came out on the road and it must have been around 2.30 PM.



Four/five young men on a motorcycle passed by me. They were having their faces covered with handkerchiefs. I was standing on the road then after a while, again four or five motorcyclists came and stopped near me, I looked at the motorcycles carefully and saw that the motorcycle number was PB 19J 0250 and the second motorcycle number was PB 27C 5765 belonging to Raman son of Unknown resident of Bhalwan and Gursewak Singh alias Mani son of Babbi resident of Bhure Kubbe and Gurbinder Singh alias Mota son of Raju Singh resident of Ubhawal were on other motorcycles, Dulla son of Unknown resident of Namol and Ramandeep Singh alias Rammu son of Darshan Singh resident of Ubhawal, Simra son of unknown resident of Saro, Kaka Badrukha and some unknown persons who had weapons in their hands came there. Then Raman resident of Bhalwan challenged and said that today he will not let me go free. Then Ramaan held a blow with a iron rod in his hand towards me, which hit me in the head. Then Kaka Badrukha struck me with a kirpan, which hit my right wrist. Then Simra struck me with a rod, which hit my right knee.. Then Dulla Namol struck me with a rod, which hit my right leg, then Gursewak Singh alias Mani struck me with an iron rod, which hit my right knee. Ramandeep Singh Rammu lifted my leg and the unknown persons inflicted more blows on him. I shouted Marta Marta then the people who had come from the Guru Ghar reached there Then all the people got on their motorcycles with their weapons and ran away then Gora resident of Bhullarheri arranged a vehicle for me and admitted me to the Civil Hospital Dhuri. Where I am undergoing treatment but I had a fight with the others boys of my basti earlier due to which I was beaten up today. I wrote a statement myself, I heard it, it is okay. Strict action should be taken against such people. SD/- Simardeep Singh, Attested/-Sith Kamaljit Singh Police Chowki Bhalwan Police Station Sadar Dhuri Date 17.8.2025.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 20.8.2025. Learned counsel has further argued that, assuming *arguendo*, the prosecution version available at this juncture is taken to be correct, the injury attributable to the petitioner is simple in nature and thus, would not invoke Section 109 of BNS (earlier Section



307 of IPC). Learned counsel has further iterated that the petitioner is a young man aged about 25 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 6.11.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 20.8.2025 and is in continuous custody since then. Culmination of investigation as also the trial emanating therefrom, in case occasion so arises, will take long time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 6.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 months and 17 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.



7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

7.11.2025

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No