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

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**CRM-M-63922 of 2025
Date of Decision: 22.12.2025**

Nishan Singh @ Manna

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Amrit Pal Singh Gill, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.20 dated 08.02.2022 registered under Sections 323, 326, 34 of IPC, at Police Station City Tarn Taran, District Tarn Taran.
2. Brief facts of the present case are that the petitioner along with co-accused attacked the complainant and caused grievous injuries to him, hence, the present FIR was lodged.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He submits that the alleged incident occurred on 13.11.2021 and the FIR in the present Case was registered on 08.02.2022, i.e. after and inordinate delay of 87 days, which casts serious doubts upon the prosecution story. He further submits that there in civil dispute between



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the complainant and cousin brother of the petitioner and the present FIR is lodged in order to pressurize the petitioner and his family members. He further submits that if the prosecution version is believed to be true, even then the petitioner has only been attributed datar blow on the left elbow of complainant, which is declared as grievous. He further submits that the petitioner has clean antecedents, he is in custody since 13.09.2025, challan has already been filed, charges have been framed and out of 13 prosecution witnesses none has been examined, as such conclusion of trial will take a long time to conclude. Hence he prays that the present petition be allowed.

4. Learned State counsel has already filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. Specific role has been attributed to the petitioner. However, he could not controvert the fact that the petitioner is a first-time offender and is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner has clean antecedents; he is in custody for the last more than 03 months; investigation is complete; challan stands filed; charges have been framed and the fact that trial may take a long time to conclude. No useful purpose would be served by keeping the petitioner in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon the judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131,***



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wherein the Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

22.12.2025
Mohit....

Whether speaking/reasoned : Yes/No
Whether reportable : *Yes/No*