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2025:PHHC:168820



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

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Jashanpreet Singh

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: December 04, 2025

Date of Uploading: December 04, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Mayank Goyal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

Mr. Bikramjit Singh, Advocate for the complainant.

***********SUMEET GOEL, J. (ORAL)**

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case bearing FIR No.341 dated 05.07.2025, registered for offences punishable under Sections 115, 118(1), 190, 191(3), 304 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 117(2), 118(2) & 324(4) of BNS added later on), at Police Station Sirsa City, District Sirsa.

2. The gravamen of the allegations against the petitioner is that complainant, namely, Harpreet Singh alias Happy, son of Fouja Singh, resident of Village Nejadela Kalan, District Sirsa, stated that Naresh Kumar, son of

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Sahab Ram, resident of Nejadela Kalan, is his friend and works as an electrician. On 03.07.2025 at about 7:00 PM, Naresh Kumar came to the complainant's house and informed him that he had to collect an amount of ₹70,000 from Jashnpreet (*petitioner herein*), son of Balwinder Singh, who had called him to an Aadhat shop at Sirsa. Naresh requested the complainant to accompany him. Accordingly, both of them proceeded to Anaj Mandi, Sirsa on Naresh's motorcycle bearing registration No.HR-24V-3800 (Splendor Plus). From Anaj Mandi, Naresh contacted Jashnpreet (*petitioner herein*), who told him that he did not have the money that day. Thereafter, Naresh's phone switched off, and both returned to their village. They then went to the house of Jashnpreet (*petitioner herein*) to enquire, but he was not found present. Subsequently, Naresh called Jashnpreet (*petitioner herein*) on mobile number 80590-54840 using the complainant's mobile number 90173-09889. On this call, Jashnpreet (*petitioner herein*) asked them to come to Home Town Café to collect the money. The complainant and Naresh again travelled to Home Town Café in M.C. Market, Sirsa on the same motorcycle. However, Jashnpreet (*petitioner herein*) was not present there either. Naresh again called him, upon which Jashnpreet (*petitioner herein*) stated that he was getting a haircut and would reach within 10–15 minutes. They waited, and at around 9:15 PM, Jashnpreet (*petitioner herein*) arrived along with another unknown young boy. Jashnpreet (*petitioner herein*) began abusing them regarding the money dispute and called out to some companions who were already sitting inside the café, saying, "Come quickly with the weapons, we will send them after giving the money today." Immediately thereafter, five young boys armed with *dattars* came out of the café.

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Akash alias Anil, son of Bhajan Lal Mirok, resident of Chhoti Chamal, attacked the complainant with a *dattar*, striking his right hand. Ravi, son of Bhajan Lal, resident of Chhoti Chamal, delivered another *dattar* blow on the complainant's left hand. Jashnpreet (*petitioner herein*) struck the complainant on the back of his head with a brick piece. Sushil Kumar alias Sheelu hit him on the left shoulder with a pipe, and the unknown boy accompanying Jashnpreet (*petitioner herein*) inflicted injuries on his back. The assailants also assaulted Naresh Kumar. On finding an opportunity, the complainant and Naresh fled from the spot. The complainant stated that during the quarrel, Jashnpreet (*petitioner herein*) snatched his iPhone-16 from Naresh Kumar's hands. The complainant then borrowed a phone from a passerby and informed his cousin, Chander Mohan, about the incident. He further alleged that the assailants also damaged Naresh Kumar's motorcycle.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 20.09.2025. Learned counsel has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has argued that, in fact, the FIR-complainant-side was the aggressor party and the petitioner was merely defending himself. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the petitioner is attributed to have given an injury which resulted into a fracture on the arm of one of the injured. Learned counsel has further iterated that the petitioner is a man with clean antecedents in so far as the cases under IPC/NDPS Act are concerned. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature

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and, hence, the petitioner ought not to be extended concession of regular bail. Learned State counsel seeks to place on record the custody certificate dated 03.12.2025, in the Court today, which is taken on record.

4.1. Learned counsel for the complainant has vehemently opposed the grant of regular bail to the petitioner by arguing that there are direct/serious allegations against the petitioner. Learned counsel has further argued that from the evidence brought forth along with the challan, the petitioner is clearly culpable. Learned counsel has further argued that in case, the petitioner is released on bail, there is all likelihood that he may flee from the process of trial as also interfere with the prosecution evidence and also intimidate the witnesses. With these submissions, dismissal of the present bail plea is entreated for.

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

6. The petitioner was arrested on 20.09.2025, whereinafter, the investigation was carried out and challan has been presented on 09.10.2025. Total 13 prosecution witnesses have been cited, but none has been examined till date. It is thus, indubitable that conclusion of the trial will take long time. The rival contentions raised at Bar 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.

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6.1. As per custody certificate dated 03.12.2025 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 02 months & 13 days & is not shown to be involved in any other FIR(s) except one under Section 138 of the NI Act.

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 cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the CJM/ Duty 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.

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

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

December 04, 2025
mahavir
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No