



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

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CRM-M-70838-2025
Date of Decision: 19.12.2025

BEANT SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Amit Kumar Saini, Advocate
for the petitioner.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.0066 dated 26.07.2025 under Sections 109, 351(2), 191(3) and 190 of BNS, 2023 (Section 238 of BNS, 2023 added later on) registered at Police Station Malaud, District Khanna.

2. The case of the prosecution is that the petitioner alongwith his co-accused has given injuries to the complainant and the petitioner has been attributed two injuries i.e. one blow on right leg below the knee and one blow on the right ear with a '*kirch*'.

3. Learned counsel for the petitioner contends that from a perusal of the MLR, it reveals that no such injuries, as attributed to the petitioner, are mentioned therein as no such alleged injuries have been found on the person of the complainant. He further contends that the petitioner is in custody for the last 04

months and 07 days and the charges are yet to be framed. It is further contended that the petitioner is not involved in any other case. Hence, the counsel prays for grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Rohit Hans, DAG, Punjab accepts notice and vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the offence in question. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner has already undergone a period of 04 months and 07 days.

6. I have heard the learned counsel for the parties and perused the record.

7. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 04 months and 07 days and the trial against the petitioner might take long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.
10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

DECEMBER 19, 2025.
Rajender

(H.S. GREWAL)
JUDGE

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