

2026:PHHC:060093



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M No.7729 of 2026
Date of Decision: 21.04.2026

Harsimranjot Singh Parmar @ Harsimran Parmar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankush Verma, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
14	03.02.2024	Goraya, District Jalandhar Rural	307, 324, 323, 379 and 411 read with 34 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Karanjit Singh @ Karni alleging that on 01.02.2024, he along with his friend Gagandeep Singh had come to the house of Gurdeep Singh @ Vicky. They were having tea at the house of Gurdeep Singh at about 2:30 PM when the petitioner

2026:PHHC:060093



accompanied by co-accused Amrit Singh reached there in a White Creta car. The petitioner called Gagandeep Singh out of the house and when Gagandeep Singh along with the complainant came out of the house of Gurdeep Singh, the petitioner and co-accused made Gagandeep Singh sit in their vehicle and the petitioner started driving the car. The complainant was following them. Within his sight, the petitioner and Amrit Singh started a scuffle with Gagandeep Singh due to which Gagandeep Singh forcibly came out of the car but the petitioner took out a dagger from his car and struck blow with the same on the abdomen of Gagandeep Singh. Due to impact of the weapon, the intestines of the victim came out of his abdomen. Amritpal Singh was armed with a datar and he too caused injuries on the person of Gagandeep Singh. Other blows were given by the petitioner on the left leg and thigh of the victim. On clamour being raised by the complainant, the petitioner and the co-accused fled away in their car while taking mobile phone of the victim Gagandeep Singh. He was rushed to the hospital and had sustained several injuries.

3. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 04.03.2024. Co-accused was subsequently arrested. Investigation subsequently stands concluded and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon

him. Infact, he along with Amrit Singh had gone to the spot on the asking of

2026:PHHC:060093



members of complainant party and they were the aggressors. He did not even know the injured Gagandeep Singh and had seen him for the first time. He was merely driving the vehicle and had not committed any specific overt act. He is in custody for a period of over two years. He is not required for further investigation. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody any more. The co-accused Amrit Singh has been extended benefit of bail. His involvement in some other cases cannot be considered to be a reason for denying benefit of bail. It is, therefore, argued that the petition deserves to be allowed.

5. Status report has been filed. Learned Assistant Advocate General, Punjab while replying upon the status report has vehemently argued that the allegations against the petitioner are serious in nature. He had voluntarily caused simple as well as grievous injuries on the person of the victim Gagandeep Singh with a dagger. The injury No.1 has been opined to be dangerous to life. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have assaulted the victim Gagandeep Singh who had sustained nine injuries out of which, one was declared to be dangerous to life. The said injury has been attributed to the petitioner. The allegations make out a prima facie for commission of subject offences as against the petitioner. However, he has

been in custody for a period of over 02 years and 01 month. The chances of

2026:PHHC:060093



conclusion of trial in near future are totally bleak as none out of 35 prosecution witnesses has been examined so far. Pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. It is well settled proposition of law that prolonged incarceration generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such cases, when there is delay in conclusion of trial without there being any fault on the part of the accused, he becomes entitled to be released on bail. Since the trial of this case, apparently and evidently is shown to have been delayed, as such, this Court is of the considered opinion that no fruitful purpose would be served by keeping the petitioner in custody any more. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

21.04.2026
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(MANISHA BATRA)
JUDGE

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