



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

CRM-M-7326-2026

Date of decision: 05.05.2026

KHUSHPREET SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Tanvir S. Grewal, Advocate for the petitioner.

Ms. Navreet K. Barnala, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.351 dated 28.09.2025 registered under Sections 109, 118(1), 118(2), 115(2), 191(3), 190 and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 118(2) of BNS added later on) at Police Station City Ferozepur, District Ferozepur.

2. The allegations against the petitioner are that on 25.09.2025 at about 7:00 PM, the petitioner armed with *kirpan* along with co-accused armed with deadly weapons came in a vehicle Make 'Scorpio' and causes injuries to the complainant. The petitioner is attributed *kirpan* blow, on left leg of the complainant and on the palm of complainant's left hand, near thumb.

3. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds:

- i. The petitioner has been falsely involved in the present case due to the reason that some part payment is outstanding under a loan



advanced to his sister by the sons of complainant at Canada, as she is employed with them.

- ii. No offence under Section 109 of BNS is made out as no injury was caused on the vital part of the complainant and no opinion of any medical expert with regard to the nature of injuries was obtained.
- iii. In the recovery memo of the vehicle make Scorpio, it is shown that the vehicle was recovered from Ferozepur, but the said vehicle was taken into possession from Sangrur on 15.10.2025, at the time of arrest of the petitioner.
- iv. The police taking the possession of the aforementioned vehicle on 15.10.2025 from Sangrur was duly recorded in a CCTV footage and the same is annexed with the paper-book in the form of a pen-drive as Annexure P-4.
- v. Petitioner is in custody since 15.10.2025 i.e. for the last 06 months and 19 days.
- vi. Petitioner is having clean and clear antecedents and is not involved in any other case, except the present one.
- vii. Investigation qua the petitioner has already been completed; final report under Section 173 of BNSS has already been filed, however, the charges are yet to be framed.
- viii. Trial will take sufficient time to conclude.
- ix. No fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.



4. Mr. Piyush Sharma, Advocate has put in appearance on behalf of the complainant and filed his power of attorney. The same is taken on record.

5. Learned State counsel produced the custody certificate of the petitioner, which is taken on record. She, assisted by learned counsel for the complainant, opposed the prayer of the petitioner on the following grounds:

- i. The petitioner was armed with deadly weapon i.e. sword (*kirpan*), at the time of incident.
- ii. He gave a *kirpan* blow on the left leg of the complainant, then he tried to hit the complainant on his head, but complainant raised his left hand to evade the attack, consequently, second blow was inflicted on the left palm of the complainant near the thumb.
- iii. Specific role has been attributed to the petitioner and his name has been specifically mentioned in the FIR.

6. Heard.

7. Keeping in view the facts and circumstances of the present case, the allegations against the petitioner as well as the following aspects:

- i. No opinion of any medical expert with regard to the nature of injuries inflicted upon the complainant, was obtained.
- ii. As per the petitioner version, the police while taking the possession of the aforementioned vehicle on 15.10.2025 from Sangrur, was duly recorded in a CCTV footage and the same is annexed with the paper-book in the form of a pen-drive as Annexure P-4.
- iii. Petitioner is in custody since 15.10.2025 i.e. for the last 06 months and 19 days.



- iv. Petitioner is having clean and clear antecedents and is not involved in any other case, except the present one.
- v. Investigation qua the petitioner has already been completed; final report under Section 173 of BNSS has already been filed, however, the charges are yet to be framed.
- vi. Trial will take sufficient time to conclude. No fruitful purpose would be served by keeping the petitioner in custody for any further period.

8. Concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties. It is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.

9. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

May 05, 2026

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(SUBHAS MEHLA)
JUDGE

- (i) Whether speaking/reasoned
- (ii) Whether reportable

Yes/No
Yes/No