

CRM-M-10048-2026
Date of decision: 06.04.2026

...PETITIONER

...RESPONDENT

2. Briefly stated, complainant Gurnam Singh got recorded his statement before the police to the effect that there was some previous land dispute between the parties. On 19.01.2026 at around 3:30/4:00 PM, when the complainant along with other persons and petitioner along with other co-accused were present at their fields. Kulwinder Singh (petitioner herein) went



to the field of sugarcane and took out a double barrel rifle, Gurdeep Singh and his son shouted at the complainant to teach him a lesson and to teach him how to create Batt in the field. At that time, petitioner-Kulwinder Singh fired shots at complainant, however, he somehow saved himself and thereafter, he attacked the complainant with a butt of rifle on his right arm and right shoulder. Co-accused Gurdeep Singh and his son grabbed the complainant by his leg and dragged him out into the street and unknown persons hurled abuses at him. Thereafter, the accused persons fled away from the spot. Hence, the FIR was registered.

3. Mr. Hitesh Puri, Advocate has put in appearance on behalf of the petitioner and filed his power of attorney after obtaining no objection from the earlier counsel. The same is taken on record. Learned counsel for the petitioner contended that it is a case of no injury; Section 109 of BNS has already been deleted during investigation; it is a case of version and cross-version; the petitioner is in custody for the last about three months; investigation has already been completed; the offences under which the FIR has been registered, are triable by Magistrate; even the matter has been compromised between the parties; the petitioner is having clean and clear antecedents and is not involved in any other case; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner behind the bars. As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Learned State counsel did not dispute the fact that investigation has already been completed; there are no grievous injuries in the present case and Section 109 of BNS has been deleted.



5. Mr. Atinderpal Singh, Advocate has put in appearance on behalf of the complainant and filed his power of attorney. The same is taken on record. Learned counsel admitted the factum of compromise effected between the parties.

6. Heard.

7. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties that the petitioner is in custody for the last 03 months; the offences are triable by Magistrate; the petitioner is not involved in any other case and is having clean and clear antecedents; compromise has been effected between the parties; it is a no injury case and Section 109 of BNS has been deleted; the trial of the case will take sufficient time to conclude, this Court finds merit in the present petition and no fruitful purpose would be served by keeping the petitioner in custody for any further period, as 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 and 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 petitioner.

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

April 06, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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

Yes/No
Yes/No