



CRM-M-10564 of 2026

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

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CRM-M-10564 of 2026
Date of Decision: 13.03.2026

Satvir Singh alias Satvir Singh Johal alias Satti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Mandeep Singh Sachdeva, Sr. Advocate with
Mr. Om Malhan, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.94 dated 19.12.2023 registered under Sections 307, 341, 323, 324, 506, 148 and 149 of IPC (Sections 325, 326 and 201 of IPC added later on), at Police Station Nurmahal, District Jalandhar Rural.
2. Brief facts as per the prosecution case are that the petitioner along with co-accused brutally attacked the complainant and caused injuries to him with an intention to kill him. Hence, the present FIR.
3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that the alleged occurrence took

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place on 12.12.2023 but the FIR in question was registered on 19.12.2023 i.e. after an unexplained delay of 07 days, casting serious doubt on the prosecution story. He further argued that if the contents of the FIR are taken to be true, even then no overt act has been attributed to the present petitioner. He further argued that the petitioner was roped in the present case only on the basis of suspicion without any concrete evidence. He further argued that Section 109 of BNS was added by the prosecution only to make the offence graver. No recovery is to be effected from him. The petitioner is in custody since 23.04.2024. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 25 prosecution witnesses but none has been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the matter, which are taken on record and while referring to the status report, he has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 01 year and 10 months; he has clean antecedents;



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investigation is complete; challan stands presented; charges framed; out of 25 witnesses, none has been examined till date; the complicity of the petitioner is a matter of trial; which is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

13.03.2026
D.Bansal

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