



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

Sr.No.225

**CRM-M-12025-2026
Decided on : 19.05.2026**

Arshdeep Singh alias Sheena

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Siddharth Gupta, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, 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.0151 dated 12.11.2025, registered under Sections 126(2), 109, 115(2), 118(1), 190, 191(3) of BNS, 2023 (Sections 117(2), 118(2), 238 of BNS, 2023 added lateron), at Police Station Chhajali, District Sangrur.

2. Brief facts, as per the prosecution case, are that the petitioner alongwith co-accused armed with *Kuhadi* (axe), *gandasa*, iron rod, sword, sticks etc. caused injuries on the person of complainant Jagsir Singh and Tarsem Singh @ Laddi with an intention to kill them. Hence, the present FIR.



3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the petitioner are false and he has no concern with the said offence. Learned counsel contends that if the contents of the FIR are taken to be true, even then only axe blow on the non-vital part of the complainant i.e. left arm is attributed to the petitioner. He further contends that the injury attributed to the petitioner has been declared simple in nature. No recovery is to be effected from the petitioner. The petitioner is in custody since 19.12.2025. The investigation in this case is complete; challan stands presented but charges are yet to be framed. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate, which is taken on record. The status report has already been filed. She has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. She has further submitted that the petitioner is also involved in one more case meaning thereby he is a habitual offender.

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 04 months and 29 days; the investigation in this case is complete; challan stands presented; charges are yet to be framed and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the petitioner in further custody. His continued



detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance in this regard is placed upon a judgment of Hon'ble Supreme Court 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. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. 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.

19.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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