

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

2026:PHHC:050834



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CRM-M-16087-2026

Date of decision: 02.04.2026

Date of uploading: 02.04.2026

Sukhjinder Singh @ Sukhwinder Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Amandeep Singh Gill, Advocate, for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS 2023 is for grant of regular bail to the petitioner in case F.I.R. No. 361 dated 04.12.2025, under Sections 115(2), 126(2), 351(2), 191(3), 190 and 109 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023 (U/S 323, 341, 506, 148, 149, 307 of IPC), registered at Police Station Division No.5, District Ludhiana.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Statement of Gurmail Singh son of Gurcharan Singh resident of Kamal Chowk near Gold Gym, Police Station City Jagraon Ludhiana. Age 31 years, Mobile: 95177-00303, 95138-00003 stated that I am a resident of the above address and my work is of finance in the Jagraon City. In the year 2022, due to a fight with other party Gulshan Kumar etc., a case was registered against both of us in Police Station City

Jagraon under Section 307,160,506,148,149 IPC 25-27 Arms Act. Regarding the date of the case, today on 04-12-25 at around 11:30 AM, I had appeared in the District Court Ludhiana with my friend Baljit Singh son of Satnam Singh, resident of Mohalla Jiwan Nagar Jagraon and Gobind Singh son of Dharam Singh, resident of village Agwar Khwaja Bajju Jagraon. Before me, my other party and the caseworker Gulshan Kumar alias Seru Jagraon, Manpreet Singh alias Mani Akhara, Aras Jagraon, their friends Jasanpreet Singh, Avi Kauke, Deepa Kauke, Kheera Kothe Serjung, Harman alias Harry Jagraon, Reto Serpura, Jot Dalla, Baljit Bouncer (Rashulpur Jandi), Lovekaran Jagraon, Nanaa son of Ghapa resident of Dhuman Mohalla Jagraon, Sukhwinder Singh and Harjot Singh and other unknown young persons were already present there. When I started entering in the court, Gulshan Kumar, as per the conspiracy, told his companions not to let him enter the court and finish him off here today. On which Gulshan Kumar attacked me with the big kada in his hand with the intention of killing me and along with him Reto, Avi Kauke, Nanna and Harmanjit Singh and Jasanpreet Singh started attacking me with fists/slaps and the kada in their hands and some sharp weapon like a knife. Baljit Singh and Gobind Singh, who had accompanied me came to save me and free me, but Lovekaran Singh, Kheera Kothe Serjung and Gulshan Kumar along with their other unknown companions attacked them with sharp weapon and kadas. The above-mentioned persons, with the intention of killing me and my friends Baljit Singh and Gobind Singh, according to a pre-planned conspiracy, stabbed me and my friends Baljit Singh and Gobind Singh in the head with sharp weapons and Kadas. When I and my companions shouted for help, the attackers fled from the spot, threatening to kill me. The fatal attack on my head by the above-mentioned persons could have killed me. From the spot, my lawyer, with the help of some other persons, arranged a vehicle and took us to the Civil Hospital Ludhiana. From there, I, Baljit Singh and Gobind Singh got our medical evaluation done. The above mentioned persons have attacked me and my friends Baljit Singh and Gobind Singh with a deadly attack. The reason for this is that against the above mentioned persons a dispute is going on with me under Section 307,160,506, 148,149 IPC and 25-27 Arms Act at Police Station City Jagraon because Gulshan Kumar alias Seru and his associates are selling illegal liquor in Jagraon area. When I stopped him, due to their grudge on me and registered a false name in case no. 193/22 at Police Station City Jagraon. Due to this rage, today in connivance with each

other the said accused has committed a deadly attack with me and my friends Baljit Singh and Gobind Singh in the District Court of Ludhiana. I have written my statement in the presence of my friends Baljit Singh and Gobind Singh. Appropriate legal action should be taken against the said persons. Sd/-Gurmail Singh Narrator, Sd/-Baljeet Singh Confirmed, Sd/-Gobind Singh Confirmed, Verification.”

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 04.12.2025. Learned counsel appearing for the petitioner has further argued that the petitioner has been falsely implicated into the FIR in question, on account of his friendly relationship with co-accused namely Gulshan Kumar. Learned counsel has further submitted that *assuming arguendo*, the prosecution version available at this juncture is taken to be correct, the petitioner is shown to be empty handed and has not given any specific injury to any of the injured. Learned counsel appearing for the petitioner has further submitted that, the injured, after being medically treated stands discharged from the hospital. Learned counsel appearing for the petitioner has further argued that the petitioner has suffered incarceration for more than 3 months & is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 01.04.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 04.12.2025 whereinafter investigation was carried out and challan was presented on 24.02.2026. Total 18 prosecution have been cited and it is the conceded position before this Court that none of the prosecution witness has been examined till date. It is not in dispute that conclusion of trial will take long time. The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage lest it may prejudice the rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. As per the custody certificate dated 01.04.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 3 months & 24 days and is not shown to be involved in any other FIR/case.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.

- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

9. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

10. Ordered accordingly.

11. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

12. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 02, 2026
Naveen

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