



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

CRM-M-18853-2026

Date of Decision: 16.04.2026

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Lovedeep Singh @ Labha

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Baljinder Singh Sra, Addl. A.G, Punjab.

SUMEET GOEL, J.(Oral)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (corresponding Section 439 Cr.P.C.) for grant of regular bail to the petitioner in case bearing FIR No.127, dated 23.10.2025 registered for the offences punishable under Sections 333, 118(1), 3 (5) of the BNS, 2023 (corresponding Sections 452, 324, 34 of IPC, 1860) [offence under Sections 118(2), 238 of the BNS/Section 326, 201 of IPC, 1860 added later on], at Police Station Mehta, District Amritsar (Rural).

2. The gravamen of the FIR in question is that on 28.09.2025 at about 05.45 P.M., when complainant Harjinder Singh along-with his son Armandeep Singh was present at his house, accused Lovedeep Singh alias

Labha (petitioner herein), armed with *Datar*, Jagjit Singh alias Jagga, armed with *Kirpan*, Abhideep Singh armed with *Datar* entered his house. Accused Abhideep Singh, who lives in the house of petitioner Lovedeep Singh and sells contraband with them, raised a *Lalkara* to catch hold of the complainant and to teach him a lesson for interfering into their business of selling contraband and restraining their customers. Upon this, accused Jagjit Singh alias Jagga gave a *Kirpan* blow upon the complainant which hit on his left arm as he had raised his left arm to ward off the blow. Accused Abhideep Singh gave a *Datar* blow upon the complainant which hit on the three fingers of his right hand as he had raised his right hand to ward off the blow. The complainant fell down on the ground. While he was lying on the ground, petitioner Lovedeep Singh gave a *Datar* blow on his head. On raising hue and cry by the complainant and his son and other family members, all the assailants ran away from the spot along-with their respective weapons.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 10.02.2026. Learned counsel has submitted argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that assuming *arguendo*, the prosecution version available at this juncture is taken to be correct, the petitioner is alleged to have given an injury upon the head of the complainant with *Datar* but the same has been found to be simple in nature. Learned counsel has further urged that the grievous injury is attributed to co-accused, namely, Jagjit Singh @ Jagga. Learned counsel

has further submitted that the culmination of investigation as also trial emanating therefrom, in case occasion so arises, will take long time. Learned counsel has submitted that the petitioner is the prime bread-earner of his family. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 15.04.2026 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 10.02.2026 and is in continuous custody since then. Investigation is still pending and thus, Challan is yet to be presented. Culmination of investigation as also the trial emanating therefrom will indubitably take long time. The active role attributed to the petitioner, as per the prosecution version available at this juncture, is of inflicting a simple injury with *Datar* upon the head of the complainant. The rival contentions raised at Bar give rise to debatable issues which shall be ratiocinated upon 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 trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 15.04.2026 filed by learned

State counsel, the petitioner has already suffered incarceration for a period of 02 months and 04 days. Further, as per the said custody certificate the petitioner is stated to be involved in another case/FIR. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022 titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/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 cellphone 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.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/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.

9. Ordered accordingly.

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

April 16, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No