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

211 **CRM-M-19914-2026**
Date of decision: 08.05.2026

DILBAGH @ FEENA @ BUGNI **..PETITIONER**

VS.

STATE OF PUNJAB **..RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Munish Puri, Advocate
for the petitioner.

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SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking grant of regular bail in case bearing FIR No.0092 dated 01.06.2025, registered under Sections 221, 121, 324(4), 191, 190 BNS (Sections 109, 117(2), 121(2) BNS (added later on), at Police Station Division No.2, District Pathankot.

2. Allegations against the present petitioner are that he along with co-accused, wrongfully restrained the complainant-ASI Rajinder Parshad

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and his fellow officials and inflicted injuries upon them by pelting stones and obstructed them from performing their duties.

3. Learned counsel for the petitioner prayed for concession of regular bail on following grounds :

(I) petitioner has not been named in FIR and has been falsely implicated in present case solely on the basis of disclosure statement;

(II) co-accused namely Sukhveer Singh @ Dippu Bhatt has already granted regular bail vide order dated 02.12.2025 in CRM-M-49996-2025; and petitioner's case is on better footing that aforesaid accused;

(III) petitioner is in custody for last 1 year:

(IV) he is drawing clean and clear antecedent and is not involved in any other case:

(V) trial will take sufficient time to conclude and no fruitful purpose would be served by keeping them behind bars.

4. Notice of motion.

5. Mr. D.S. Malwai, Additional AG, Punjab, who is present in Court, accepted notice on behalf of respondent-State and, has opposed the concession of regular bail to the petitioner by submitting that the present petitioner along with co-accused attacked on police party and he actively participated in the alleged offence.

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6. Heard.

7. Taking into consideration the facts & circumstances of the present case and the rival contentions of the parties, this Court finds merit in the present petition on the following aspects:

(I) petitioner has not been named in the FIR and has been implicated solely on the basis of disclosure statement of co-accused namely Sukhveer Singh @ Dippu Bhatt, who has been granted concession of regular bail by coordinate bench of this Court vide order dated 02.12.2025 in CRM-M-49996-2025.;

(II) other co-accused, namely Rohit Singh @ Teda has also been granted concession of regular bail vide order dated 19.01.2026 in CRM-1236-2026;

(III) present petitioner's case is on similar footing than that of aforesaid co-accused;

(IV) petitioner is in custody for last 1 year;

(V) there is no apprehension of tampering with prosecution evidence, as the witnesses are police officials;

(VI) petitioner is having clean and clear antecedents and is not involved in any other case except this case;

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(VII) trial is likely to take sufficient time to conclude and as such no fruitful purpose would be required by keeping him in custody for indefinite period.

8. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by 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.

9. Therefore, without expressing any opinion on the merits of the case, the present petition is **allowed**. The petitioner is directed to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(SUBHAS MEHLA)
JUDGE

May, 08,2026
Poonam Sharma

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO

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