

2026:PHHC:036804



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRM-M No.21938 of 2025
Date of Decision: 10.03.2026

Lovepreet Singh @ Lovepreet Dhillon @ Love ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nirmaljeet Singh Sidhu, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
14	02.02.2025	Civil Lines Bathinda, District Bathinda	109, 118(2), 126(2), 191(3), 190, 61(2) and 324(4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (118(1) of BNS added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Jasdeep Singh alleging therein that on 01.02.2025, he along with his friend Amninder Tiwani had gone

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to a hair cutting saloon and when after coming out of the same, they were walking towards their car, they were intercepted by the petitioner and the co-accused who were accompanied with 7-8 persons unknown to them, all of whom were armed with weapons. The petitioner had made an exhortation for teaching a lesson to the complainant and to not to spare him and then struck blow with an axe towards the head of the complainant. To ward off the blow, the complainant raised his right arm and the axe blow hit his arm thereby injuring him. The accused Manpreet Dandiwal struck another blow with axe on his left leg and the other accused also assaulted him with their respective weapons with intent to kill him. His car was damaged by all of them and then while making exhortations, they left the spot. The complainant was rushed to hospital and was given treatment.

3. After registration of FIR, investigation proceedings were initiated. The complainant recorded his supplementary statement on 06.02.2025 on the basis of which some additional accused were nominated. The petitioner was arrested on 06.02.2025. He suffered disclosure statement admitting his involvement in the crime and got recovered the car used at the time of the occurrence. Some other co-accused were also arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injury allegedly attributed to him is on the non vital part of body of the victim. A false recovery of weapon has been planted upon him. The ingredients for commission of offence

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punishable under Section 109 of BNS are not attracted qua him. He is in custody for a period of over 01 year. He is not required for further investigation. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody any more. It is, therefore, argued that he deserves to be released on bail.

5. Per contra, learned Senior Deputy Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner. He is involved in two other cases. There are chances of his intimidating the witnesses, absconding or committing similar offences, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner by forming membership of an unlawful assembly with the co-accused is alleged to have assaulted the complainant with an axe and to have caused injuries to him. As per the medico legal report, the victim had sustained several injuries and the combined effect of the same could be dangerous. The allegations prima facie make out a case for commission of subject offences as against the petitioner. However, he is in custody for a period of about 01 year and 01 month. The trial will take considerable time to conclude since even charges have not been framed so far. No fruitful purpose is going to be served by continued detention of the petitioner. It is well settled proposition of law that pre trial incarceration should not be a replica of post conviction sentencing and bail is the rule and jail is an

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exception. The detention prior to trial should not become punitive. Taking into consideration the above discussed facts, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10.03.2026
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(MANISHA BATRA)
JUDGE

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