

CRM-M-22274-2026

2026:PHHC:069036



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22274-2026

Rai Singh
....Petitioner
Versus
State of Punjab
...Respondent

Date of Decision: May 05, 2026
Date of Uploading: May 05, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Sonia Pamma, Advocate for
Mr. Sahil Vashishat, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Mr. Aayush Gupta, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS seeking grant of regular bail to the petitioner, in case bearing FIR No.180 dated 02.09.2023, registered for the offences punishable under Sections 323, 379-B, 34 of IPC, 1860, at Police Station Samrala, District Ludhiana.

2. The gravamen of the FIR in question is that complainant, namely, Rajinder Singh stated that on 01.09.2023, at about 9:00 PM, he along with his brother-in-law Parvinder Singh went from village Manki to Samrala in their car bearing registration number PB10EN-9444 (Honda Amaze) to purchase some articles. While returning at about 10:00 PM, two motorcycles carrying four persons started following their vehicle. Parvinder Singh was driving the car. When they were travelling from Utala towards village Bhangla, near Sua Pulli, one of the motorcycles overtook them and stopped in front of their car. The

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motorcyclist informed them that one of the tyres of their car was on fire. When the complainant stepped out of the vehicle to check, the said persons suddenly attacked him and his brother-in-law.

All four assailants threw chilli powder into their eyes and assaulted them with baseball bats. They also searched their pockets but did not find any valuables. However, they forcibly snatched the complainant's Redmi touchscreen mobile phone containing Airtel SIM number 9331008341. During the incident, the assailants caused injuries to the complainant's head and to the face of his brother-in-law, Parvinder Singh. Thereafter, they fled from the spot along with the stolen mobile phone.

3. Learned counsel has urged that the date of alleged offence is 01.09.2023, *whereas*, the petitioner came to be arrested on 05.02.2026 on the basis of disclosure-statement. Learned counsel has further urged that meager village related dispute was given the colour of severe criminal offence. Learned counsel has also urged that upon culmination, investigation was carried out and challan stands presented and, thus, no useful purpose would be served by detaining the petitioner further. Learned counsel has further urged that the petitioner is a man aged 28 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel also seeks to place on record the custody certificate dated 04.05.2026, in the Court today, which is taken on record.

4.1. Learned counsel for the complainant has vehemently opposed the petition in hand by arguing that there are serious allegations against the

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petitioner. Learned counsel has submitted that, in case, the petitioner is granted concession of regular bail, there is all likelihood that the petitioner may abscond from the process of justice and interfere with the prosecution witnesses/ evidence. On the strength of these submissions, dismissal of the petition in hand is entreated for.

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

6. The petitioner was arrested on 05.02.2026, whereinafter, the investigation was carried out and the challan *qua* petitioner has been presented on 29.04.2026. Total 12 cited prosecution witnesses have been cited, but none has been examined till date. It is, thus, indubitable that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues, which shall essentially 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 04.05.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 02 years and 26 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the

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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 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 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.

9. Ordered accordingly.

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

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

(SUMEET GOEL)
JUDGE

May 05, 2026

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