

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

2026.PHHC.089162



**CRM-M-21631-2026 (O&M)
Date of Decision: 02.07.2026**

KHUSHPREET SINGH @ KHUSHI	... PETITIONER
STATE OF PUNJAB	... RESPONDENT
VERSUS	

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. S.S.Sarwara, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (439 Cr.P.C.) in FIR No. 111 dated 27.08.2021 under Sections 307, 326, 323, 324, 325, 341, 148, 149 IPC, (Now under section 109, 118(2), 115(2), 118(1), 117(2), 126(2), 191(3), 190 of BNS, 2023) registered at Police Station Shambhu, District Patiala.
2. The case of the prosecution is that the FIR has been registered on the statement of the complainant Kashi Singh alleging that on 25.08.2021 petitioner along with the co-accused had caused injuries to him. The role attributed to the petitioner is that he had inflicted *kirpan* blow on the middle finger of the complainant.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The petitioner is in custody for the last 04 years, 03 months and 23 days. He, thus, prays for grant of bail to the petitioner.
4. Notice of motion.

5. Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of the State and vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 04 years, 03 months and 23 days and is involved in several other cases including 08 undertrial cases.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner is in custody for the last 04 years, 03 months and 23 days; though he is involved in several other cases but in the present case he has undergone undue custody apart from the fact that trial is not progressing and continuous detention of the petitioner would not serve the ends of justice, this Court has no option but to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

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

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

11. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

02.07.2026

Janki

(H.S.GREWAL)
JUDGE

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