



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

241

CRM-M-21956-2026

Date of decision :12.05.2026

Date of uploading :12.05.2026

Sukhjinder Singh @ Sonu

.....Petitioner

Versus**State Of Punjab**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Devansh Khanna, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present 2nd petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.57 dated 05.05.2018 under Sections 302, 341, 323, 324, 148, 149 of the IPC, registered at Police Station Majitha, District Amritsar Rural.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

“Statement of Gurbej Singh alias Gori son of Lakhwinder Singh, caste Majbi Sikh, resident of Ward No. 5 Majitha, aged about 25 years. He stated that I am a resident of the above address and work as a labourer in Dana Mandi Majitha, and my friend Ravinder Singh alias Ravi son of Bachan Singh, caste Majbi Sikh, resident of Ward No. 5 Majitha Mandi, is a Chaudhary. On the date 4-5-18, around 11 PM, Ravinder Singh alias Ravi and I were working in the mandi when Parmjit Singh alias Pamma son of Guljari Lal, caste Sasi, resident of Majitha, called Ravinder Singh alias Ravi and asked him to come, saying that Lav son of Sarabjit Singh, caste Majbi Sikh, resident of Majitha, had gathered at his house and were having a party. Upon this, I, along with Ravinder Singh son of Bachan Singh, caste Majbi Sikh, resident of Ward No. 5 Majitha, his younger brother Jugraj Singh, and Baggi son of unknown, resident of Chivinda Devi, were going towards Lav's house at his invitation. When we went a



little ahead of Beant Dairy, near empty plots, Parmjit Singh alias Pamma son of Guljari Lal, resident of Majitha, with a 'musalla' (a type of weapon, possibly a dagger or sword), Sabhi son of Sewa Singh, with a 'musalla' (dagger/sword), Billu son of Sewa Singh, caste Majbi Sikh, residents of Majitha, with (dagger/sword), Changiara son of Sewa Singh with (dagger/sword), and Lav son of Sarabjit Singh with a 'musalla' (dagger/sword), residents of Majitha, were standing. Seeing us approach, Pamma son of Guljari Lal shouted, "Catch them, don't let them go alive today!" Upon saying this, Pamma son of Guljari Lal struck Ravinder Singh alias Ravi with his hand-held 'datar' (dagger/sword). He put up his left hand for defense, and it hit the wrist of his left hand. Then Changiara son of Sewa Singh struck me with his hand-held 'kripan' (dagger/sword), which hit the thumb of my right hand. Then Sabhi son of Sewa Singh struck Ravinder Singh alias Ravi with his hand-held 'kripan' (dagger/sword), which hit his left hand on the side of the little finger, injuring the hand. Ravinder Singh alias Ravi fell to the ground. While he was lying on the ground, Parmjit Singh alias Pamma again struck him with his hand-held 'datar' (dagger/sword). which hit his left arm. Billu son of Sewa Singh and Lav son of Sarabjit Singh kept hitting Ravi with their hand-held 'besbolas' (baseballs) while he was lying down. At that time, the street light on the road was on. Hearing our shouts, the assailants fled from the spot with their weapons. Me and Ravi, in a injured condition, were admitted to Guru Nanak Hospital by Jugraj Singh and Sandeep Kaur wife of Pritam Singh alias Rinku, who arranged for a vehicle. I am undergoing treatment here. Now I have come to know that my companion Ravinder Singh alias Ravi has died due to his injuries. The said accused have killed Ravinder Singh alias Ravi by assaulting him and have also injured me. The reason for this enmity is that some time ago, Parmjit Singh alias Pamma and Ravinder Singh alias Ravi had a quarrel. Due to this enmity, with a motive of revenge, they stopped us and assaulted us, causing murder. Statement has been written, heard, and found correct. LTI/ Gurbej Singh. Attestation: MOHIT KUMAR SI, Station House Officer, Police Station Majitha, dated 05-05-18. Investigation: Today, SI along with SI Mehar Singh, ASI Nishan Singh, HC Avtar Singh 530, C Dilbagh Singh 1412, PHG Sucha Singh 20768, drove the government vehicle driven by C. Bandip Singh 1951, were present at Nagakala Adda on patrol, when MHC Nachhatar Singh Informed that Ravinder Singh alias Ravi son of Bachan Singh, caste Majbi Sikh, resident of Majitha, has died at Guru Nanak Dev Hospital, Amritsar, and his companion Gurbej Singh son of Lakhwinder Singh, resident of Majitha, is admitted in an injured condition.

Upon this, SI/SHO along with the police party reached Guru Nanak Dev Hospital, Amritsar. After obtaining the opinion of the doctor regarding the injured Gurbej Singh, the statement was obtained. Based on the statement, an offense under sections 341, 323, 324, 302, 148, 149 IPC was found to have been committed. The statement was sent to CT Arinda for registration of the case. The case number will be informed after registration. Special reports will be issued. Information will be conveyed to the senior officers via wireless. I am busy with the investigation at the spot along with the staff.

Area: S.G.N.D. Hospital, Amritsar, At 12:15 PM. SD/ MOHIT KUMAR SI. Station House Officer, Police Station Majitha, dated 05-05-18.

Police Station: At present, the above statement has been received at the police station, and a case has been registered under the above sections. The original statement along with the copy of the FIR is being sent by hand to CT Arinda for further investigation. Special reports are being issued and sent by hand to the concerned officers and the Area Magistrate through HC Kuldeep Singh 691. Information is being given to the Control Room via wireless. Completion report No. 22, Time 13:35."



3. Learned counsel for the petitioner has argued that the petitioner was initially arrested on 01.06.2018 and was granted the concession of regular bail by this Court on 13.02.2020. The petitioner continued to appear till February 2021, but could not appear thereafter due to the COVID-19 pandemic as also on account of miscommunication regarding the date of hearing. Learned counsel has further argued that the petitioner subsequently came to be arrested in another FIR and, thus, his non-appearance before the concerned Court was completely beyond his control. Learned counsel has further argued that the petitioner is now in custody since 13.08.2025 qua the FIR in question and, in case he is released on bail, he shall continue to appear before the concerned Court and face trial in accordance with law. 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 11.05.2026 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. It is not in dispute before this Court that the present petitioner was earlier granted the concession of bail by this Court on 13.02.2020 on merits and that he had been appearing continuously before the concerned trial Court for some time. Without going into the merits as to whether the petitioner has shown sufficient cause for his non-appearance, but keeping in view the factum of the petitioner being in custody since 13.08.2025 and the trial not being likely to culminate in the near future, this Court is



inclined to grant the concession of regular bail to the petitioner. The rival contentions raised by learned counsel 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 11.05.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 years 1 month and 23 days & is shown to be involved in other cases. As per the said custody certificate, the petitioner is stated to be involved in more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. 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 CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the 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 cell-phone 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.
- (viii) The petitioner, in addition to the aforesaid conditions, shall be required to either furnish cash surety or bank guarantee/FDR in the name of Court releasing him on bail to the tune of Rs.1 lacs.

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. It is made clear that in case the petitioner does not cause appearance, the concerned Court shall be at liberty to forfeit the said amount.

10. Ordered accordingly.

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

12.05.2026

jatin

(SUMEET GOEL)

JUDGE

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