



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

223

CRM-M-25271-2026

Date of decision :11.05.2026

Date of uploading :11.05.2026

Baljit Singh

.....Petitioner

Versus**State Of Punjab**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. PBS Goraya, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present 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.82 dated 14.05.2024 under Sections 307, 324, 323, 506, 427, 148, 149 of IPC and Sections 325, 302 of IPC added vide DDR No.21 dated 27.07.2024 (offence under Section 302 deleted vide DDR No.31 dated 03.04.2026), registered at Police Station Ajnala, District Amritsar.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"It is recorded at 19:50 hrs that the statement of Pawan Singh, son of Late DhannaSingh, resident of village Ballharwal, Abadi Baba Gam Chak, Police Station Ajnala, District Amritsar, aged about 50 years, Mobile No. 95926-61653, has been recorded as follows: "I am a resident of the aforesaid address, work as a farmer, and am the current Sarpanch of the village. On 11.05.2024, my father DhannaSingh son of Bishan Singh and nephew Balwinder Singh son of Puran Singh, residents of Ballharwal, Abadi Baba Gam Chak, had a quarrel with JagirSingh son of Darshan Singh, Gurmeet Singh son of Sardara Singh, Simran Singh alias Sona son



of Jagir Singh, SardaraSingh son of Gian Singh, Lakhbir Singh alias Vaddason of Darshan Singh, RataSingh BeantSingh son of Bittu Singh, Manjit Singh alias Labhason of LakhbirSingh, Baljit Singh son of Sukhwinder Singh, Dilpreet Singh son of Jaswinder Singh, Jagpreet Singh of Harbhajan Singh, and JassaSingh son of Kashmir Singh, all residents of village Ballharwal, Abadi Baba Gam Chak, in which my father DhannaSingh and nephew Balwinder Singh were assaulted and injured. Regarding this, on the statement of my father DhannaSingh, Case No. 82 dated 14/05/2024 under Sections 307, 324, 323, 506, 427, 148, 149 IPC was registered at Police Station Ajnala. During the investigation of the present case, the offence under Section 325 IPC was added vide Report No. 21 dated 25.05.2024. On 26.07.2024, my father was at home when his health suddenly deteriorated, and we took him to S.H.S. Ajnala at about 07:00/7:30 PM. The doctor advised us to take my father Dhanna Singh home and care for him, so we brought our father back home. Today, on 27.07.2024, at about 10:00 AM, while we were taking our father DhannaSingh to the hospital in Ajnala for treatment, he passed away when we reached Ajnala Chowk. My father DhannaSingh's death was caused by the injuries inflicted by JagirSingh and the aforementioned persons. I have brought the dead body of my father, DhannaSingh, to Police Station Ajnala in a vehicle and am waiting here. I have left my family members with the body and have come to the police station to record my statement. The aforementioned persons are responsible for the death of my father, Dhanna Singh. Legal action should be taken against them. I have recorded my statement, it has been read over to me, and it is correct. On 27.07.2024, during police proceedings, I.S.I Aman, along with ASI Kuldeep Singh No. Rajinder Singh No. 518, PHG JagwantSingh Bag 3471, was present at the police station when Pawan Singh son of Late Dhanna Singh resident of Ballharwal, came to the police station with the dead body of the deceased and his son Sajan Singh, and recorded his statement regarding the death, which was written down. The statement was read over to him, which he acknowledged as correct. The statement was taken. Thereafter, he signed in Punjabi below his statement, which was attested by Sajan Singh. I have verified the same. From the above statement, an offence under Section 302 IPC is prima facie made out. In this regard, Case No. 82 dated 14/05/2024 under Sections 307, 324, 325, 323, 506, 427, 148, 149 IPC is already registered at Police Station Ajnala. Therefore, to add the offence under Section 302 IPC to the present case, the above statement is being handed over to MHC Chanchal Singh. A report for the addition of the offence should be entered in the register, and I should be informed of the report number. The Control Room should be informed. Special reports are being issued and sent to the senior officers and the concerned Area Magistrate for their information. Report for information entered at Police Station Ajnala on 27.07.2024."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 15.02.2026. Learned counsel has further argued that there is an inordinate delay of 3 days in registration of the FIR. Learned counsel has further argued that the case in hand is one of version and cross-version. Learned counsel has further submitted that, *assuming arguendo*, the prosecution version is taken to be correct, the active role



ascribed to the petitioner is causing an injury with a *dang* on the right wrist of one Dhanna Singh. 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 09.05.2026 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. The petitioner was arrested on 15.02.2026 wherein after investigation was carried out and challan qua the petitioner stands presented on 03.04.2026. Total 26 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that the culmination of trial will take its own time. It is not in dispute before this Court that the injured, Balwinder Singh, stands discharged after being medically treated and another injured, namely Dhanna Singh, has since passed away. 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 09.05.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 months and 21 days. Though the custody certificate filed by the



learned State counsel does not describe that the petitioner is involved in any other case, however, learned counsel for the petitioner has very fairly pointed out to this Court that the petitioner is involved in another case bearing FIR No.271 dated 31.12.2023 under Section 323, 326, 506, 148, 149 of IPC registered at Police Station Ajnala, District Amritsar. 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.

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.

(SUMEET GOEL)
JUDGE

11.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No