

2026.PHHC.015737



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-28965-2025

Date of decision: 3rd February, 2026

Amritpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajinder Singh Bhatta, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 28 dated 24.02.2025 registered under Sections 109, 115(2), 118(1), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Offence under Section 118(2) of BNS was added later on) at Police Station Sultanpur Lodhi, District Kapurthala.

2. The aforementioned FIR was registered on the basis of statement got recorded by complainant Jaspreet Singh on 23.03.2025 alleging that on 23.02.2025, he along with his brother Harjinder Singh was on his way to get his motor bike repaired at Kapurthala Road, when he was encircled by occupants of 5-6 bikes who were armed with weapons. The petitioner along with the co-accused and some persons unknown to the complainant were

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occupants of those motor bikes. The petitioner made an exhortation to not to spare the complainant and his brother and thereafter, all of them opened an attack upon the complainant and his brother. The petitioner struck a blow with an iron rod on the head of the complainant, whereas the other assailants also caused injuries to him and his brother. On clamour being raised, the assailants fled from the spot. After registration of FIR, investigation proceedings were initiated. As per the medico legal report, the head injury sustained by the complainant was grievous in nature. The petitioner was arrested on 26.03.2025 and is in custody since then. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery has been effected from him. He has been in custody since long. No injury which could be opined to be dangerous to life, had been sustained by either of the victims. Further incarceration of the petitioner would not serve any useful purpose. He is ready to abide by terms and conditions to be imposed upon him by this Court. Therefore, it is urged that he deserves to be released on bail. To fortify his arguments, learned counsel for the petitioner has placed reliance upon the cases cited as “***Balkar Singh Vs. State of Punjab, 2023 NCPHHC 48935***”, “***Amritpal Singh vs. State of Punjab, 2025 NCPHHC 138390***”.

4. *Per contra*, Learned State counsel while placing on record custody certificate has vehemently argued that there are serious and specific allegations against the petitioner. There are chances of his absconding, committing similar offences or intimidating the witnesses, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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5. This Court has heard learned counsel for the parties at considerable length.
6. The petitioner in connivance with the co-accused is alleged to have opened an assault upon the complainant and his brother and to have caused simple as well as grievous injuries to them with an intent to kill them. The injuries so sustained by both of them, however, had not been opined to be dangerous to life. Though the allegations prima facie make out a case for commission of subject offences against the petitioner, however, he is in custody for a period of over ten months. There is no likelihood of the conclusion of the trial in near future as even charges have not been framed so far. The petitioner is not required for further investigation as the same stands concluded. Taking into consideration the period of incarceration of the petitioner, his clean antecedents, the nature of subject offences and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

3rd February, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |