

CRM-M-29034-2025

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

**CRM-M-29034-2025
Decided on : 03.02.2026**

Sartaj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

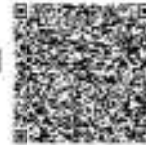
Present: Mr. D.S. Bhinder, Advocate,
Mr. Birinder Pal, Advocate and
Mr. Charanbir Singh, Advocate
for the petitioner.

Mr. Iqbal Preet Singh, AAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Petitioner-Sartaj Singh has filed instant third petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 116 dated 28.09.2024 registered under Sections 109, 115, 3(5) of BNS (corresponding to Section 307, 323, 34 IPC) and Section 25 of Arms Act at Police Station Dera Baba Nanak, District Batala, Punjab.

2. As per case put forth by the injured/complainant-Manpreet Singh, on 20.09.2024 at about 09.00 p.m., Jagjit Singh @ Judge (complainant's real brother) and his co-accused Sartaj Singh (petitioner herein) took the complainant from home at Kala's Dhaba, Talwandi Rama, where all of them consumed liquor. After some time, complainant's brother Jagjit Singh @ Judge took out a pistol from his dub and fired a shot at complainant hitting on the back side of the head.



CRM-M-29034-2025

2

Petitioner – Sartaj Singh, thereafter gave a *datar* blow with intention to chop of the neck of complainant, which infact caused injury on left shoulder of the injured/complainant–Manpreet Singh.

3. Learned counsel for the petitioner argues that because of firing shot by co-accused-Jagjit Singh @ Judge, an offence under Section 109 BNS has been attracted in the case, whereas no other injury including the one attributed to the petitioner was ever declared to be grievous or dangerous to life. It is further argued that petitioner is inside jail since 28.10.2024 i.e. for a period of last about 01 year and 04 months. Once nothing is there to be recovered from his possession, any longer incarceration would not serve any meaningful purpose and, thus, prays for grant of bail.

4. On the other hand, learned State counsel while referring to the status report, submits that specific attribution has been alleged against the petitioner of giving *datar* blow with the intention to cause injury on the head, however, it landed on the shoulder part of the injured/complainant-Manpreet Singh. Further argues that once the sharp edged weapon has been used apart use of fire arm, intention of accused to cause murder can be inferred. Thus, prays for dismissal of the bail petition.

5. Admittedly, the petitioner is attributed with *datar* blow, causing injury on the shoulder, nothing is pointed out by learned State counsel to show that the said injury is grievous or dangerous to life. The petitioner is inside jail since 28.10.2026. On being asked, learned State counsel submits that out of 16 prosecution witnesses, none has been examined till date. Culmination of trial would likely to take considerable time. Therefore, in view of the totality of the circumstances, the nature of the allegations levelled against the petitioner, and the



CRM-M-29034-2025

factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioner.

6. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

9. Petition stands disposed of.

February 03, 2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO