

2026.PHHC.027103



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38115-2025

Jasvir Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	18.02.2026
2	The date when the judgment is pronounced	20.02.2026
3	The date when the judgment is uploaded on the website	20.02.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. P.S. Sekhon, Sr. Advocate with
Mr. Rajdeep Singh Gill, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. S.S. Aviraj, Advocate for the complainant.

MANISHA BATRA, J :-

The instant one is the second petition 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. 180 dated 14.08.2024 registered under Sections 109, 351(3), 324(4), 126(2), 309(4), 191(2), 190, 117(3) and 118(2) of Bharatiya Nyaya Sanhita, 2023 (for short

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‘BNS’) and Sections 25 and 27 of Arms Act, 1959 at Police Station Patran, District Patiala. His previous petition bearing CRM-M-7467-2025 had been dismissed as withdrawn vide order dated 14.02.2025.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of the statement recorded by the complainant Amandeep Singh on 14.08.2024, alleging that he was previously having relations with one Gurpreet Kaur, that had later on turned sour. Gurpreet Kaur had started extending threats to him. On 13.08.2024, she made a call to the complainant to meet her. The complainant went to meet her at the informed place in his Swift car. When he reached there, he found Gurpreet Kaur to be present there with Golu and another youth unknown to him. While after parking his car, he was proceeding towards Gurpreet Kaur, the said youth and Golu also alighted from their vehicle and, while proclaiming that they were going to kill him, they opened an assault upon him. Gurpreet Kaur nabbed him by the neck. At the same time, one Scorpio car reached there. Four youths armed with iron rods alighted from the same. They encircled the complainant and started extending beatings to him. They vandalized his car. He tried to flee. However, he was followed by Gurpreet Kaur and Golu, who hit the car of the complainant with an Endeavour car, took out an iron rod from the same. The youth accompanying them hit his head with an iron rod and then struck repeated blows with the same on his person. Gurpreet Kaur and Golu also caused injuries to him with iron rods. The Scorpio vehicle had again reached there, and the petitioner

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accompanied by Nikhil Ragda and two youths, came out of that vehicle. Nikhil Ragda was carrying a pistol, whereas the petitioner was having an iron rod. They again started extending beatings to him. Nikhil Ragda fired a shot with a pistol and the bullet hit his friend Ravinder Singh, who had also come present there. On clamour being raised, the assailants fled away. While fleeing, the accused Gurpreet Kaur snatched his revolver from him.

3. After the registration of the FIR, investigation proceedings were initiated. The complainant was medico-legally examined. He had sustained several injuries. His leg was amputated due to the impact of the injuries sustained by him. During the course of investigation, the petitioner and co-accused Nikhil Ragda were arrested on 16.08.2024. They were interrogated and suffered disclosure statements admitting their involvement in the crime. They got recovered one .32 bore revolver with four live cartridges and an iron rod. The co-accused were also arrested subsequently. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is not shown in the CCTV footage as relied upon by the prosecution. He was not even present at the spot at the time of occurrence. His involvement is only due to the fact that he was in a relationship with Gurpreet Kaur, thereby causing a grudge to the complainant. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is,

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therefore, argued that he deserves to be released on bail.

5. *Per contra*, learned State Counsel assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioner. Not only was he named in the FIR, but his involvement and presence at the spot stands fully established. The vehicle owned and used by him has been found in the CCTV footage of the spot. The victim had sustained serious injuries which led to amputation of his right leg. The petitioner is a habitual offender, being involved in one case for abetment to murder and another case under the provisions of the Indian Penal Code. There are chances of his absconding or intimidating the complainant and other material witnesses or committing similar offences, if extended the benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of the common object thereof, is alleged to have assaulted the victim on the fateful day. The victim had sustained multiple injuries. His right leg has also been amputated. There were specific allegations in the FIR that injuries by a rod were caused by the petitioner and the co-accused also. He has been linked to the acts attributed with the aid of Section 149 of the IPC as well. The allegations *prima facie* show his clear involvement in the occurrence while having knowledge that

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the offense to make an attempt to kill the victim was likely to be committed in prosecution of common object. He stands accused of serious offences. while length of incarceration is a factor that weighs with the court in considering bail, however, it cannot overshadow the gravity of the accusations as levelled against the petitioner. The material witnesses are yet to be examined. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the material witnesses is also to be weighed. Frivolity of prosecution has to be considered.

8. In the light of the following legal principles and the circumstances as discussed above, this court finds no compelling ground to extend the benefit of bail to the petitioner. Accordingly, the petition is dismissed.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

10. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th February, 2026
Parveen Sharma

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