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

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Date of decision : 12.01.2026

Pradeep Masih

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, 2023 seeking regular bail in case FIR No.5 dated 04.01.2023 under Sections 307, 323, 341, 148, 149 & 506 IPC, 1860 (offence under Sections 302, 34, 120B IPC added later on vide rapat No.33 dated 22.02.2023 and offence under Section 307 IPC has been deleted), registered at Police Station Zirakpur, District SAS Nagar Mohali.

2. Learned counsel for the petitioner submits that the case of the prosecution is that on 04.01.2023, co-accused Kulwinder Singh along with four unidentified persons, attacked the complainant-Bahadur Singh and had given injuries to him by iron rods and sharp edged weapons with an intention to kill him. Bahadur Singh sustained multiple injuries and was admitted to hospital. He later died about 1 ½ months after the incident. Learned counsel, however, submits that the present petitioner was nominated as an accused after 80 days

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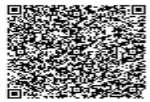
of the occurrence on the statement of the nephew of injured/deceased-Bahadur Singh and he was alleged to be a member of the said unlawful assembly. However, the deceased-Bahadur Singh did not name the present petitioner. Learned counsel also submits that the petitioner is in custody for 02 years, 09 months and 12 days and the trial is likely to take long time as no prosecution witness has been examined so far. He, therefore, prays for release of the petitioner on regular bail.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. Learned State counsel has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for 02 years, 09 months and 12 days. He, upon instructions, submits that although charges were framed on 11.10.2024 but no prosecution witness has been examined till date.

4. I have heard the learned counsel for the parties and perused the record.

5. In view of the above submissions of learned counsel for the parties and keeping in view the fact that the petitioner is in custody for 02 years, 09 months & 12 days and the trial is likely to take a long time as none of the prosecution witness has been examined so far, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on



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regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

12.01.2026
A.Kaundal

(H.S.GREWAL)
JUDGE

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