

2026:PHHC:031921



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108

CRM-M-40907-2025 (O&M)

Date of decision: 26th February, 2026

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Navjot Kaur, Advocate and
Mr. B.S. Bhalla, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Ritesh Pandey, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

CRM-8895-2026

This application has been filed by the applicant for placing on record the copy of order dated 18.02.2026 passed by this Court in CRM-M-3497-2026 titled as 'Kulwinder Singh @ Fouji vs. State of Punjab' as Annexure P-4.

For the reasons mentioned in the application, the same is allowed, subject to all just exceptions. Annexure P-4 is ordered to be taken on record.

Main case

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the

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petitioner seeking grant of regular bail in case bearing FIR No. 112 dated 29.10.2024 registered under Sections 109, 118(2), 115(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Kathu Nangal, District Police Amritsar Rural.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Narinder Singh alleging that on 17.10.2024, he was going towards his house when the petitioner along with the co-accused had intercepted him. All of them were armed with weapons. Accused Pawandeep Singh made an exhortation that the complainant would be taught a lesson for favouring Satinder Singh during Sarpanch election. The petitioner opened an assault upon the complainant by striking blows with *datar*. The other accused also inflicted injuries on his person with their weapons. He had fallen down and was given kicks. On clamour being raised, Reshamjeet Singh had reached there and then all of the assailants fled away with their respective weapons. He was rushed to hospital. The assailants had caused injuries to him due to election rivalry.

3. After registration of FIR, investigation proceedings were initiated. The petitioner, who was in custody in some other case, was joined into investigation of this case as on 23.05.2025 and was formally arrested. Investigation qua him now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is a delay of 12 days in reporting the matter to the police for which no reasonable explanation has been given. The

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FIR is an outcome of an election rivalry in the village. Only one injury on the person of the complainant has been declared to be grievous in nature which has not been opined to be dangerous to life. Trial will take considerable time to conclude. He is not required for further investigation. No useful purpose would be served by detaining him in custody anymore. The co-accused has been extended benefit of bail. It is, thus urged that the petition deserves to be allowed.

5. *Per contra*, learned State counsel assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature, by forming unlawful assembly with the co-accused he had voluntarily caused simple as well as grievous injuries to the complainant. He is a habitual offender as since other cases have been registered against him. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed 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 is alleged to have opened an attack upon the complainant and to have caused simple as well as grievous injuries to him. The allegations make out a case for commission of subject offences against him. However, he has been in custody since 25.05.2025. Investigation stands concluded. Trial will take time to conclude. Further incarceration of the petitioner would not

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serve any useful purpose. There is no basis for the contention that he may abscond or commit similar offences. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing and further that bail is the rule and jail is an exception. Taking into consideration the above discussed facts, 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 learned Chief Judicial Magistrate/ Duty Magistrate concerned.

8. 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.
9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

26th February, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No