



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

142

CRM-M-46193-2025 (O&M)

NARINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-50633-2025

JASWINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

Decided on : 23.03.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Prateek Pandit, Advocate,
for the petitioners (in both the cases).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

By this common order, both the aforementioned petitions,
i.e. CRM-M-46193-2025 and CRM-M-50633-2025 shall stand disposed
of.

1. The instant petitions have been filed under Section 483 of
BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the
petitioners, during the pendency of trial, who have been booked in a
criminal case arising out of First Information Report, as detailed
hereunder:-



Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
(1) Jaswinder Singh, aged about 25 years, (2) Narinder Singh, aged about 34 years	173	12.06.2025	115(2), 117(2), 118(1), 109, 190, 303(2) of BNS (offence under sections 117(2) of BNS added later on)	City Kapurthala	Kapurthala

2. As per the allegations in the FIR, complainant-Rahul Mahajan reported that on 11.06.2025, he along with his brother namely Rishi Mahajan, was present at a gym, where both the petitioners, namely Narinder Singh and Jaswinder Singh, were already present and engaged in a workout. It is alleged that petitioner-Narinder Singh raised a *lalkara* and exhorted petitioner – Jaswinder Singh to teach a lesson to the complainant. Thereupon, Jaswinder Singh allegedly struck the complainant on the head with a dumbbell, while Narinder Singh inflicted blows with an iron rod near the left elbow and on the back of the right shoulder of the complainant.

It is further alleged that when Rishi Mahajan intervened, Jaswinder Singh inflicted a blow with a dumbbell on the back of his head, whereas Narinder Singh struck him with an iron rod on his left shoulder. Additionally, owner of the gym, Sandeep Kashyap, along with 3–4 other persons, allegedly slapped the complainant and gave kick blows to his brother.



3. Learned counsel for the petitioners submits that none of the injuries sustained by the complainant has been declared to be dangerous to life. It is further argued that no head injury has been specifically attributed to petitioner-Narinder Singh.

It is also contended that FIR is highly belated and had such an incident actually occurred inside the gym premises, CCTV footage or videographic evidence would have been collected during the investigation.

4. Learned counsel further submits that offences in the present case, in essence, are triable by the Court of learned Magistrate. It is also pointed out that a cross-version has been recorded, vide GD No.35 dated 13.06.2025 under Sections 115(2), 118(1), and 3(5) of the BNS at Police Station City Kapurthala, District Kapurthala.

5. It is further contended that the question as to which party was the aggressor can only be determined after appreciation of the entire evidence during trial. Moreover, petitioners are in custody since 13.06.2025, and trial has not yet commenced.

It is also submitted that even the stage of framing of charges has been delayed, as the accused were not produced before the trial Court by the jail authorities. Thus, prayer has been made for grant of regular bail to both the petitioners in the present case.

6. *Per contra*, learned State counsel submits that no definite opinion can be formed from the record regarding the exact nature of the injuries. However, it is further submitted that Rishi Mahajan sustained a



fracture of the temporal bone of the skull, along with resultant hemotympanum.

However, learned State counsel is unable to controvert the factual assertions made by learned counsel for the petitioners, including the period of incarceration undergone by the petitioners and present stage of the trial. Nevertheless, prayer is made for dismissal of the present petitions.

7. This Court has heard the submissions advanced by learned counsel for the parties and has perused the record available before it.

8. Undoubtedly, trial is yet to commence. It is also not evident from the record as to how the offence under Section 109 of the BNS is made out against the petitioners. Both the petitioners are inside jail since 13.06.2025, i.e., from the date of registration of the FIR.

Even the proceedings for framing of charges have not been completed, primarily on account of non-production of the accused before the trial Court. In such circumstances, petitioners cannot be kept in custody for an indefinite period.

9. Considering the totality of the circumstances, the nature of allegations, period of custody already undergone by the petitioners, and stage of the trial, this Court deems it appropriate to grant the concession of bail to the petitioners in the present case.

Consequently, prayer made in the both the present petitions is allowed. Petitioners namely Narinder Singh (in CRM-M-46193-2025) and Jaswinder Singh (in CRM-M-50633-2025) are ordered to be released on bail, subject to their 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.

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

11. 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.

12. Both the present petitions stand disposed of.

13. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

23.03.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO