



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CRM-M-52914-2025
Decided on : 20.01.2026

Amrik Singh @ Nittu . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. P.S. Sekhon, Sr. Advocate with
Mr. Rajdeep Singh Gill, Advocate and
Mr. Gaurav, Advocate, for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant third petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amrik Singh @ Nittu	85	16.12.2023	307, 452, 326, 325, 323, 427, 148, 149 of IPC	Jaurkian	Mansa

2. First regular bail petition was dismissed as withdrawn vide order dated 12.07.2024, passed in CRM-M-32041-2024 (O&M), titled as, “*Amrik Singh @ Nittu v. State of Punjab*”, (Annexure P-10) and then, second regular bail petition has been dismissed as withdrawn vide dated 09.01.2025, passed in CRM-M-64669-2024 (O&M), titled as, “*Amrik Singh @ Nittu v. State of Punjab*” (Annexure P-11), by the Coordinate Bench of this Court.



3. Learned Senior counsel, at the outset, argues that in fact almost similarly situated co-accused – Lakhdeep Singh @ Mirg, has been released on regular bail by the Coordinate Bench of this Court vide order dated 23.04.2025, passed in CRM-M-19662-2025 (O&M), titled as, “*Lakhdeep Singh @ Mirg v. State of Punjab*” (Annexure P-7), thus, once again, a fresh cause of action has accrued to the petitioner for seeking concession of regular bail. Hence, instant third regular bail petition has been filed by him.

4. Facts emerging, which are noticed from the FIR, are reproduced here-under:-

“ *Statement of Swaran Singh son of Thakar Singh son of Karnail Singh, resident of Raipur, aged about 30 years, M. No.87288-65346, stated that I am resident of above said address, doing labour work. On dated 14.12.2023 at night I was laying in the room of my house, in the adjoining room my father Thakar Singh was laying and alongwith my father, my brother Soni Singh was also laying. At about 10:00 PM Lakhdeep Singh @ Mirg son of Bhinder Singh, Amrik Singh @ Neetu son of Hakam Singh, Gurpreet Singh @ Vadda son of Kaur Singh, Lovepreet Singh @ Ganju son of Binder Singh, Akashdeep Singh son of Manak Singh and Joginder Singh son of Sadha Singh, residents of Raipur armed with swords, Gandasa and sticks entered into our courtyard by breaking the gate of our house while raising alarms. On hearing their voice, I came out in the courtyard. There was a light of electricity bulb in our courtyard then Lakhdeep Singh @ Mirg raised alarm and said that today Swaran will not be speared, then Lakhdeep Singh @ Mirg gave a blow of his sword towards my head with intention to kill, I have raised my left arm and sword hit upon the middle finger of my left hand and front portion of finger was cut off, then Amrik Singh @ Neetu gave a blow of his Gandasa towards my head with intention to kill me, which hit upon the right side of my head, then Gurpreet Singh @ Vadda gave a blow of his stick at my left leg, then Amrik Singh @ Neetu gave a blow of his Gandasa towards my head with intention to kill me, then I have raised my right hand which hit upon my right elbow. Then Gurpreet Singh @ Vadda gave a blow of his stick on my right shoulder and Gurpreet Singh @ Vadda gave another blow of his stick on my right arm which hit upon my elbow. Then Amrik Singh*



@ Neetu gave a blow of his Gandasa at the lower back portion of my right leg, then I fell down and while I was lying Akashdeep Singh gave a blow of stick on my right ankle. Then Lovepreet Singh @ Ganju gave stick blow at my forehead with intention to kill, then Joginder Singh gave a stick blow on my left ankle and back. Then Amrik Singh @ Neetu gave blow of his Gandasa towards my head with intention to kill then I raised my left arm which hit upon my left elbow, then Akashdeep Singh gave an injury on my left shoulder. When my father tried to save me from them, then they have inflicted injuries to my father also. Then on raising alarms by us they all ran away from the spot alongwith their respective weapons. Then my brother and Ajaib Singh son of Sher Singh resident of our village Raipur arranged the vehicle and got us admitted in Civil Hospital, Mansa for treatment, where our treatment is going on. The motive is that earlier we had a quarrel with Lakhdeep Singh @Mirg and Amrik Singh @ Neetu, due to this reason they were keeping grudges against us, due to which they have inflicted injuries on us, action be taken. Statement got recorded to you, heard which is correct. LTI/ Swarn Singh.”

5. Learned Senior counsel further argues that in fact, petitioner has been attributed with total four injuries, i.e.;

- (i) **Gandasa** blow on right side of the head of the injured/complainant – Swaran Singh (**opined as simple injury**);
- (ii) **Gandasa** blow attempted on head, but landed on right elbow of the injured/complainant – Swaran Singh (**opined as grievous injury**);
- (iii) **Gandasa** blow on lower back portion of right leg of the injured/complainant – Swaran Singh (**opined as grievous injury**); and
- (iv) **Gandasa** blow attempted over head, but landed on left elbow of the injured/complainant – Swaran Singh (**opined as simple injury**).

Thus, learned Senior counsel argues that two of the injuries attributed to the petitioner are opined as simple and two other injuries are opined as grievous by the concerned Doctor. Further argues that both the



grievous injuries are on non-vital parts of the body, i.e., right elbow and left elbow of the injured/complainant – Swaran Singh.

Also argues that in the absence of any definite opinion given by the Doctor in regard to the injuries being dangerous to life or that injured/complainant – Swaran Singh would have died in the absence of proper medical aid, no offence, under Section 307 of IPC can be assumed against the petitioner or even against any other co-accused. Besides, all the five co-accused, i.e., (i) Lakhdeep Singh @ Mirg, (ii) Gurpreet Singh @ Vadda, (iii) Akashdeep Singh, (iv) Joginder Singh @ Satnam Singh, and (v) Lovepreet Singh @ Ganju, have been granted concession of bails by the concerned Courts. Out of total 17proseuction witnesses, none has been examined so far and that was the position of the trial, which was recorded in the bail order of the co-accused – Lakhdeep Singh @ Mirg on 23.04.2025, i.e., about eight months back. Thus, position remains the same and even after lapse of eight months. Therefore, in view of the above and by claiming parity, learned Senior counsel prays for grant of concession of regular bail to the petitioner.

6. On the other hand, learned State counsel, has produced the custody certificate dated 19.01.2026 in Court today. Same is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the petitioner's counsel.

7. Learned State counsel is unable to dispute the factual position, including that all other co-accused have already been granted the concession of regular bail by the concerned Courts and that none of the injuries attributed to the petitioner (either simple or grievous) have been inflicted on



any vital part of the body of the injured/complainant – Swaran Singh. Learned State counsel is also unable to dispute that none of the prosecution witnesses have been examined by the prosecution till date. Though learned State counsel submits that keeping in view the petitioner's criminal antecedents, as reflected in the custody certificate, he does not deserve the concession of regular bail at this stage.

8. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

9. At the outset, this Court is conscious of the nature of allegations levelled against the petitioner and the offences invoked in the FIR, including Section 307 of IPC. However, it cannot be overlooked that, as per the admitted factual position, the injuries attributed to the petitioner, though two are opined to be grievous, are stated to be on the non-vital parts of the body of the injured/complainant – Swaran Singh. At this stage, no conclusive opinion is required to be expressed as to whether the offence under Section 307 of IPC is made out or not, as the same would be a matter to be determined during the course of trial on the basis of evidence led by the parties.

10. It is also an admitted position that all the co-accused, namely; (i) Lakhdeep Singh @ Mirg, (ii) Gurpreet Singh @ Vadda, (iii) Akashdeep Singh, (iv) Joginder Singh @ Satnam Singh, and (v) Lovepreet Singh @ Ganju, have already been granted the concession of bail by the concerned Courts. Therefore, the plea of parity, as raised by learned Senior counsel for the petitioner, deserves due consideration, particularly when the role attributed to the petitioner is also to be tested during trial.



Further, it has not been disputed by learned State counsel that out of total 17 prosecution witnesses, none has been examined so far, and the trial has not progressed even after a considerable lapse of time. The petitioner is in custody for a substantial period and the conclusion of trial is not likely to take place in the near future. In such circumstances, continued incarceration of the petitioner for an indefinite period is not warranted.

As regards the criminal antecedents of the petitioner, as pointed out by learned State counsel, the same by itself cannot be treated as an absolute bar for grant of bail, particularly when similarly situated co-accused have already been granted bail and the trial is not moving at the required pace. Besides, a perusal of the custody certificate also reveals that either he is on bail or acquitted in most of the cases.

11. In view of the totality of the circumstances, and without commenting upon the merits of the case lest it may prejudice either side during trial, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

13. 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.

14. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

January 20, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*