

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

2025:PHHC:179722



(214)

CRM-M-56175-2025

Date of Decision: 20.01.2026

Jaskirat Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present:- Mr. S.S. Sarwara, Advocate for the petitioner.

Mr. Ritu Raj Singh, DAG, Punjab.

VINOD S. BHARDWAJ.J (Oral)

1. The instant first petition is for seeking concession of regular bail under Section 483, BNSS, 2023 in case bearing FIR No.85 dated 04.04.2025 under Sections 109, 115(2), 118, 351(2), 191(3), 190, 61(2) BNS, 2023 (Sections 238, 118(2), 55(2) BNS, 2023 added later on) registered at Police Station Dera Bassi, District SAS Nagar Mohali.

2. The FIR in question was registered on the statement of Navjot Saini alleging that on 03.04.2025, when he along with his friend Harsh Chopra were coming to Dera Bassi after attending Fitness Centre at Gulabgarh road, Derabassi, then Sushil came there and told him that he wanted to talk about the fight that took place with Harsh Chopra. The FIR in question reads as under:-

“I would like to state that I am resident of above noted address and I am student of 12th Class of Global Wisdom International School Derabassi. Yesterday, I along with my friend Harsh Chopra were coming towards Derabassi after Gym from Aman Fitness Centre, Gulabgarh road

Derabassi and were eating burger from the cart near Green Sweets, Gulabgarh road then Shushil resident of Shivpuri colony also reached there and he told me that I want to talk about the quarrel occurred with Harsh Chopra, so you come in the Park. Therefore we all three boys went to the Park and sat on a bench, then 15-20 boys standing there, started throwing bricks/ brickbats towards us by picking said bricks/brickbats from the park, Harsh Chopra received multiple injuries, then he ran away towards the street and I also rushed towards the Centre of Park. Some boys have chased him. They gave me blow of sword to me, I tried to get up then Shushil resident of Shivpuri Colony, Derabassi has given blow of his Gandasi/Garai on my head and Sushil resident of Mubarikpur has given blow of sword on my head, I raised my left side arm to save me then said blow hit on my left side arm. In the meantime Jaskirat Saini resident of Mehmadupur has also given blow of his Gandasi/Grari on my head and Sumit alias Joker resident of Shivpuri Colony has given blow of his stick to me. I stained with blood and raised noise "Marta Marta", then they all ran away from the spot along with their respective weapons by threatening me. At around 7.00 PM, someone has called Ambulance and brought me in Civil Hospital Derabassi, where my mother also reached and Harsh Chopra was already admitted in the Civil Hospital Derabassi due to injuries, where the doctor has referred me and Harsh Chopra to GMCH Sector 32, Chandigarh for treatment, where also the doctors referred me to PGI Chandigarh, where I am under treatment. I can identify the said unknown boys. This incident is occurred under the instructions of Amin son of Babu Khan, resident of village Nadhiali, Zirakpur at present residing at Flat No. 6, B-1 Tower Gulmohar Extension Haibatpur road Derabassi Tehsil and Police Station Derabassi District SAS Nagar as earlier also he threatened me about it. I have got my statement recorded in the presence of my father. I have heard it, same is correct."

3. Learned counsel for the petitioner contends that as per the medico legal report, the injured/victim had suffered only five injuries out of which two injuries were on head. As per the medical opinion, both the injuries have been assessed as grievous and sharp. The kind of weapon opined to have been used in inflicting the said injuries is a sword. It is submitted that the sword in the present case is alleged to have been held by Sukha Mehmampur. The injuries on head, thus, are not attributed to the petitioner, who was stated to have been armed with a gandasi. Counsel further contends that no weapon has been recovered from the petitioner. He submits that the petitioner is in custody since 04.04.2025. Investigation in the case is complete and further custodial interrogation of the petitioner is not warranted. It is submitted that even though the investigation is complete, however, charges have not been framed and thus completion of trial would take long.

3. Learned State counsel does not dispute the aforesaid facts.

4. I have heard learned counsel appearing on behalf of the respective parties.

5. In view of the facts noticed herein above and taking into consideration the fact that petitioner is a young boy of 19 years and the attribution against him is apparently not corroborated by the medical evidence on record along with the period of custody already undergone and the stage of trial, I deem it appropriate to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.
8.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

20.01.2026
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(VINOD S. BHARDWAJ)
JUDGE

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