

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

108

2026:PHHC:053957



CRM-M-59741-2025 (O&M).  
Date of decision: 08.04.2026.

SUKHDEEP SINGH @ KALA

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

PRESENT Mr. Virender Kumar, Advocate,  
for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

Mr. Aajeshwar S. Grewal, Advocate,  
for the complainant.

**VINOD S. BHARDWAJ, J. (Oral)**

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.39 dated 13.04.2025, under Section(s) 109 and 126(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter to be referred as 'BNS 2023'), registered at Police Station Maur, District Bathinda. The first petition seeking grant of regular bail was withdrawn on 24.09.2025.

The aforesaid FIR was registered on the statement of Jagdish Singh wherein it is alleged that on 11.04.2025, at about 9 P.M., he along with Roop Singh had gone to their fields on a motorcycle and in the Pahi situated in front of their house, accused Sukhdeep Singh (petitioner herein) had parked his tractor. It is further alleged that Satpal Singh, father of the complainant, requested the accused to move the tractor to the other side. However, when the complainant and Roop Singh reached the spot, accused Sukhdeep Singh @ Kala started grappling with the complainant and his father Satpal Singh. It is alleged that Roop Singh intervened in an attempt to pacify the situation, however, during the course of altercation, accused Sukhdeep Singh, took out a *dah* from his tractor and inflicted a blow on the left side of the head of Roop Singh, thereby causing injuries to him.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is alleged to have caused a lacerated wound on the strength whereof offence under Section 109 of the BNS, 2023, has been attracted against him. He contends that the petitioner is in custody since 13.04.2025 and has already undergone an actual custody of more than 11 months in the present case. He submits that out of total 15 witnesses cited by the prosecution none has been examined so far and thus conclusion of trial is likely to take a long time. He further contends that on the last date of hearing, State counsel had informed that the petitioner is also involved in another FIR bearing No.90 of 2024 under Sections 118(1) and 115(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Maur, District Bathinda, but the said FIR already stands quashed against the petitioner vide order dated 07.01.2025 passed in CRM-M-52653-2024 titled as 'Balkaran Singh and others Vs. State

of Punjab and others.'

State counsel, on the other hand, however, contends that the main injury which was opined as dangerous to life is attributed to the petitioner herein. She, however, does not dispute that no witnesses has been examined so far out of total 15 witnesses cited by the prosecution.

Counsel for the complainant contends that there is a possibility of petitioner threatening and intimidating the prosecution witnesses. He, however, is not in a position to dispute that no such act has taken place so far and there is no cogent material on the basis whereof, the aforesaid argument could be substantiated. Thus, the possibility of the petitioner intimidating the PWs is not prima facie established at this stage.

Having heard the counsel for the respective parties and without commenting anything on the merits of the present case and further taking into consideration the period of custody already undergone by the petitioner, the nature of allegations levelled against him as well as the stage of trial wherein none of the witnesses has been examined and the same is likely to take a long time to conclude, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

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.

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.

April 08, 2026.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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