



CRM-M-60940-2025 (O&M)

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

(237)

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Date of decision : 14.01.2026

AMRITPAL SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Sunny K. Singla, Advocate for the petitioner

Mr. Roshandeep Singh, AAG, Punjab

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.61 dated 02.05.2025 registered under Sections 109, 118, 115(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [offence under Section 117(2), 118(2) of BNS added later on] registered at Police Station Rampura, District Bathinda.

2. The aforementioned FIR was registered on the basis of complaint submitted by Ajaib Singh alleging that on the evening of 03.04.2025, he found that the petitioner alongwith his father Bagh Singh

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was irrigating the fields owned by the complainant. He advised the petitioner not to do so. But the petitioner did not pay any heed and on his insistence, he felt offended and by taking out a sword, he rushed towards the complainant and opened an assault upon him and struck blows with the same on his head and left shoulder and back, thereby causing injuries to him. The co-accused Bagh Singh, father of the petitioner also caused injuries to him by striking blows with *kasi*. On clamour being raised by the complainant, his father and wife rushed to rescue him but they too sustained injuries at the hands of the assailants and, thereafter, they fled away. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 13.06.2025. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The trial will take considerable time to conclude. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Status report and custody certificate have been filed. Learned State counsel has argued that the petitioner alongwith the co-accused had voluntarily caused simple as well as grievous injuries on the victims. One of these injuries has been opined to be dangerous to life. There are chances of petitioner's intimidating the witnesses, absconding or committing similar offence, if extended benefit of bail. It is, therefore, stressed that the petition does not deserve to be allowed.

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5. This Court has heard the rival submissions made by the counsels for the parties at considerable length.

6. The petitioner alongwith the co-accused is alleged to have made an attempt to kill the victims by causing injuries to them with sharp edged weapons. The allegations make out a prima facie case for commission of subject offences as against the petitioner. However, he is in custody for a period of over seven months. He is not required for further investigation since challan has been presented. Trial will obviously take considerable time to conclude as even charges have not been framed. The petitioner does not have criminal antecedents. Given the nature of the allegations and the above discussed facts, this Court is of the considered opinion that the continued detention of the petitioner would not serve any useful purpose. Even otherwise, pre-trial incarceration should not be a replica of post-conviction sentencing. As such the case is made out for allowing the petition. The same is accordingly allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner during the pendency of the trial shall not try to contact the complainant or the other material witnesses including the injured in any manner whatsoever and shall not extent any threat, inducement or promise or

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tamper with the evidence of the case in any manner whatsoever.

(ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) The petitioner shall appear before each and every date of hearing.

(iv) The petitioner shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

(v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

(vi) The petitioner shall surrender his passport, if any, furnish details of his cell phone and Aadhaar card, and shall not change his mobile number(s) during the pendency of the trial.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

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.



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9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

14.01.2026	Whether speaking/reasoned:-	Yes/No
Amit Sharma	Whether reportable:-	Yes/No