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

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Date of decision: 13.01.2026**

SARWAN SINGH ALIAS KALU**....Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. H.S. Sidhu, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in DDR No.40 dated 16.07.2025, under Sections 115(2), 118(2), 3(5) of BNS arising out of FIR No.57 dated 08.05.2025, under Sections 115(2), 117(2), 3(5) of BNS, registered at Police Station Kamboj, District Amritsar.
2. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.
3. Learned counsel for the petitioner contended that one FIR bearing No.57 dated 08.05.2025, Police Station Kamboj, District Amritsar Rural was got registered by co-accused Akashdeep Singh for the offences punishable under Sections 115(2), 117(2), 3(5) of BNS against Jawalar Singh, Gurpreet Singh, Joginder Singh and Kanwal Kaur, who had assaulted them including petitioner, while armed with brick, stone and sticks in which Akashdeep Singh had suffered injuries. Thereafter, the opposite party had lodged GD No.40 dated 16.07.2025,

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after a delay of more than two months for the offences under Sections 115(2), 118(2) and 3(5) of BNS in which petitioner has been arrayed as an accused. Learned counsel further contended that as per allegations in the said GD No.40, petitioner was armed with a datar and he had caused one simple injury to one of the victim namely Joginder Singh. Learned counsel next contended that infact, it is the opposite party who was the aggressor and true genesis of the occurrence has been suppressed and no explanation has been given regarding the injuries caused to Akashdeep Singh. Learned counsel further contended that main accused namely Akashdeep Singh has already been released on anticipatory bail by this Court vide order dated 09.10.2025. Petitioner is in custody since 29.09.2025. All the offences are Magisterial trial. The trial will take a long time to conclude and no useful purpose will be served by detaining the petitioner in custody and he may be released on bail.

4. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail.

5. Both the parties have got the cross-cases registered against each other and have suffered injuries during the occurrence. As to who amongst them was the aggressor shall be the moot question during the trial. Only one simple injury is attributed to the petitioner who is in custody since 29.09.2025. All the offences are Magisterial trial. Challan has already been presented after completion of investigation. Trial is likely to take a long time to conclude and further detention of the petitioner is thus not required and he deserves to be released on bail.

6. Having regard to the aforesaid factual position, but without



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commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

13.01.2026
Priyanka

(YASHVIR SINGH RATHOR)
JUDGE

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