

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

2026:PHHC:007704



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CRM-M-62538-2025 (O&M)

Date of decision:20.01.2026

Jaswinder Singh @ Kali

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Sumeetpal Singh Sidhu, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

**Manisha Batra, J. (Oral).**

1. On oral request learned counsel for the petitioner to the effect that offence under Section 117(2) of BNS has been added during the course of investigation, the said offence is ordered to be added in the headnote of the petition.

2. 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.113 dated 02.08.2025 registered under Sections 109, 126(2), 115(2), 61(2), 191(3), 190, 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered at Police Station City 1 Mansa, District Mansa. The offence under Section 117(2) of BNS has been added, during the course of the investigation.

3. The aforementioned FIR was registered on the basis of

statement recorded by complainant Nilesh Kumar Gade, who was working as Plant Head of Power Mech Project Company Limited (hereinafter referred as “company”) alleging that accused Kuldeep Singh Sidhu and Simranjit Singh Sidhu were running a multipurpose laboratory in the company and they used to conduct medical tests of the persons working in the project of the company and to give reports. Since the company was not satisfied with their reports, hence, they were planning to establish an independent medical laboratory in the plant itself. Correspondence was going on in this regard. The above named Kuldeep Singh Sidhu and Simranjit Singh Sidhu had come to know about this fact and were offended. They had extended threats to the complainant to face dire consequences, if he got established another medical laboratory. On the night of 01.08.2025, when he was going towards his house after performing his duties, he was intercepted by the above named Kuldeep Singh Sidhu and Simranjit Singh Sidhu, who were accompanied by Baljinder Singh and 04 more unidentified persons. All of them opened an attack upon him with sticks and iron rods, thereby injuring him. He was rescued by his co-workers and was taken to hospital.

4. After registration of FIR, investigation proceedings were initiated. On 10.08.2025 the complainant recorded supplementary statement on the basis of which the petitioner and 04 other persons were nominated as additional accused. The petitioner and co-accused Manpreet Singh @ Bona were arrested on the same day. The other accused were subsequently arrested. Investigation now stands completed and the petitioner along with the co- accused is facing trial for commission of aforementioned offences.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of a supplementary statement recorded by the complainant after nine days of the alleged incident and hence the veracity of this statement cannot be relied upon. No recovery has been effected from him. He has clean antecedents. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. The accused Kuldeep Singh Sidhu and Simranjit Singh Sidhu have already been extended benefit of anticipatory bail. His case is at better footing. With these broad submissions, it is urged that the petition deserves to be allowed.

6. Status report and custody certificate have been filed. Learned State counsel has specifically argued that there are serious and specific allegations against the petitioner. There are chances of his intimidating the material witnesses or absconding, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

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

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, he is alleged to have voluntarily caused simple as well as grievous injuries on the person of the complainant. He has sustained two injuries. The allegations make out a prima facie case for commission of subject offences as against the petitioner. However, he is in custody for over a period of five months. He is not required for further investigation since the same stands concluded. He has clean antecedents. It is well settled

proposition of law that bail is the rule and jail is an exception. Even otherwise pre-trial incarceration should not be a replica of post-conviction sentencing. Taking into consideration, the above discussed facts but without meaning to make any comments on the merits of the case lest the same prejudice either of the parties, the petition is allowed and the petitioner is ordered to be released on 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 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or 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 Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

9. 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.

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

**20.01.2026**

*harjeet*

**(MANISHA BATRA)  
JUDGE**

Whether speaking/reasoned :  
Whether reportable :

Yes/No  
Yes/No