



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

237

CRM-M-64451-2025

Date of decision: 10.02.2026

Jaspreet Singh @ Kali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Prabhjeet Singh Sullar, Advocate for the petitioner.

Mr. Jatin Kundu, AAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 483 BNSS, petitioner, an accused in case bearing FIR No.122 dated 18.09.2025 registered against him, u/s 331(6), 118(1)(2), 351(2), 115(2), 126(2) of BNS (Sections 190, 191(3) of BNS added later on) at Police Station Banur, District Patiala, has prayed for grant of bail.

2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

Paramjit Kaur, wife of Manga Ram, resident of Ward No.3, Dheha Basti, Banur, set the criminal law in motion by filing a complaint pointing therein that on 17.09.2025, she along with her family members (one daughter and 2 sons, one of whom is blind) were present at their home when at about 9:00 PM, her neighbour Paramjit Kaur threw garbage in front of her house. When she (C) asked her to remove it, verbal altercation occurred. After some time, Jaspreet Singh @ Kali (P) accompanied by other assailants arrived outside her (C) house and without any provocation unleashed an attack upon her.

Primarily with this backdrop, complainant requested the police officials to catch hold of all those who are involved in this incident, as also



to initiate appropriate criminal proceedings against them. On the basis of the said complaint a formal case vide FIR No.122 dated 18.09.2025 was registered.

Admittedly in the said complaint, no specific injury has been attributed to the present petitioner namely Jaspreet Singh @ Kali. It is further an admitted fact that all injuries on the person of injured have since been declared as 'Simple' in nature.

3. Petitioner/accused, who was arrested on 27.09.2025, moved an application for grant of bail before the learned Additional Sessions Judge, SAS Nagar. The same was dismissed vide order dated 29.10.2025. Aggrieved of the said order, the present petition has been filed.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. In fact, he was not present at the site and has been unnecessarily dragged in. Sequence of events did not unfold in the manner as suggested by complainant. The second leg of submission raised by learned counsel is that even if for the sake of arguments, the story as portrayed by prosecution with regard to the involvement of present petitioner is presumed to be true at its face value (though not admitted), the only role attributed to him (P) is that he was present at the site along with assailants, but no specific injury has been attributed to him.

It is further the submission of learned counsel that co-accused Amit Kumar @ Ajay, Paramjeet Kaur and Anjali Rani (similarly situated as the present petitioner) have since been granted the concession of bail in the aforesaid FIR, similar treatment be meted out to the petitioner, qua whom the investigations are also complete, for challan has been filed but since none of prosecution witnesses have been examined till date, the likelihood of completion of trial in the near future is quite remote.

In the light of submissions advanced hereinabove, learned



counsel prays that petitioner, who has been in custody since 27.09.2025, deserves a lenient view to be taken in his favour by extending him the concession of bail, for his further incarceration would not serve any useful purpose. Prayer for allowing the petition has been made.

5. Status report by way of an affidavit of Mr. Manjit Singh, PPS, Deputy Superintendent of Police, Rajpura, Patiala has been filed today in Court. Learned State counsel has opposed the request for grant of bail on the ground that petitioner was one of the members of unlawful assembly that unleashed an attack on complainant by intruding her house. In the incident, complainant suffered 06 injuries. Though, it has been admitted by learned State counsel that all the injuries have been declared as 'Simple' in nature. Factum of 03 other co-accused namely Paramjeet Kaur, Anjali Rani and Amit Kumar @ Ajay having been granted the concession of bail has also been admitted. Nonetheless, dismissal of the petition has been prayed for.

6. Both the counsel have been heard and documents on record have been perused.

7. In view of the submissions raised by learned counsel for the petitioner, but without advertting to merits of the case lest it may prejudice the mind of trial Court and further taking note of the fact that petitioner has been in custody since 27.09.2025, the Court is of the opinion that no useful purpose would be served by further detention of the petitioner, as the same, without the prospect of trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India, including right to speedy trial and would, thus, also be against the principle of "*Bail is a general rule and incarceration is an exception*" as held by Hon'ble Supreme Court in ***Dataram vs. State of Uttar Pradesh and another, 2018(2) R.C.R. (Criminal) 131.***

In ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012(1) RCR (Criminal) 586***, Hon'ble Supreme Court upheld the



order of the High Court in granting bail to the second respondent/accused on the ground that he had been in custody for a long period and the possibility of the trial being concluded in the near future was remote.

Resultantly, petitioner is granted the concession of bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. The petitioner shall abide by the following conditions:-

- (i) The petitioner shall not leave the country without prior permission of the trial Court and shall deposit the passport in the trial Court.*
- (ii) The petitioner will not tamper with the evidence during the trial.*
- (iii) The petitioner will not pressurize/ intimidate the prosecution witnesses.*
- (iv) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.*
- (v) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.*
- (vi) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.*
- (vii) The petitioner shall not in any manner misuse his liberty.*
- (viii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.*
- (ix) The trial Court/Duty Magistrate may impose any other*



condition, as deemed appropriate while releasing the petitioner.

8. Accordingly, the present petition is allowed and it is made clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AARADHNA SAWHNEY)
JUDGE

10.02.2026
Hemant

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