

2026.PHHC.030848



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CRM-M-64069-2025

Date of decision: 25th February, 2026

Mangat Raj @ Mangat Raj Mangi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mohit Vashishat, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

Mr. Vipin Sharma, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 93 dated 22.08.2025 registered under Sections 115(2), 118(1), 127(2) and 308(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 109 of BNS added later on) at Police Station Sadar Phagwara, District Kapurthala.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Aryan, alleging therein that on 21.08.2025, he was called by the present petitioner, who is acquainted to him, at the house of Kewal Singh which is in occupation of the petitioner and on reaching there,

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the petitioner had opened an assault upon him with the knife of a nail cutter and struck injuries by giving blows with the said knife on his person. His father had made a call on his cell phone in the meanwhile, and then the petitioner had raised demand of a sum of Rs. 20 lakh for releasing the complainant. The complainant had somehow managed to flee. He was admitted to hospital and was treated. He had sustained several injuries. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 23.08.2025 and is in custody since then. 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 working as a care-taker in the house of an NRI family. On 21.08.2025, the complainant had asked him to bring his girlfriend in the above said house of NRI family. The petitioner had denied to do so and then by concocted a false story with the support of his father who is a police official, the petitioner has been implicated in this case by causing self inflicted injuries on his person by the complainant. It is further argued that the injuries so sustained are declared as simple by Civil Hospital, Phagwara but by procuring a report from the private hospital, the complainant got an injury on his person as grievous(dangerous to life), though the detail of such injury had not been given in the report. It is submitted that he is in custody since long. Investigation now stands completed. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. He has clean antecedents. It is, therefore, argued that he deserves to be released

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on bail.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. The complainant is yet to be examined. There are chances of petitioner's intimidating the complainant, committing similar offences or absconding, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to have voluntarily caused injuries on the person of the complainant as on 21.08.2025. The petitioner has placed on record Annexure P-2, a report given by some private hospital showing that he had been admitted in the hospital since 23.08.2025 with pain in abdomen and vomiting on account of haemoperitoneum (alleged history of assault, lacerated cut wounds on his chest, neck and abdomen). As per this report, the CT scan showed fluid collection in his abdomen and pelvis. This report further reads as under:-

“As an indoor case and strict monitoring for next two days considering the grievous (dangerous to life) nature of abdominal trauma.”

7. On going through the contents of the case summary of Annexure P-2, this Court is of the considered opinion that any conclusion as to the nature of the injuries can be finally drawn only on thorough assessment of the evidence to be adduced during the trial. Though the allegations make out a

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prima facie case for commission of subject offences as against the petitioner, however, he is in custody since 23.08.2025. Investigation now stands concluded. Trial will take considerable time to conclude. The petitioner has no criminal antecedents. No fruitful purpose would be served by detaining him in custody anymore. It is well settled that pre-trial incarceration should not be a replica of post-conviction sentencing that bail is the rule and jail is an exception. The object of jail is to secure appearance of the accused during trial, and it cannot be preventive or punitive. Keeping in view the gravity of the allegations, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

- (i) he shall not absent himself on any date before the learned trial Court;
- (ii) he shall deposit his passport, if any, with the learned trial Court;
- (iii) he shall give the details of his mobile numbers at the police station concerned and shall not change the same without prior permission of the Court;
- (iv) he shall not delay the trial in any manner.
- (v) he would not try to contact, induce or intimidate either

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the complainant or any other material witnesses during the pendency of the trial.

9. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.
10. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.
11. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th February, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |