



-1-

CRM-M-64922-2025 (O&M)**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(241)****CRM-M-64922-2025 (O&M)****Date of decision : 14.01.2026****SANJAY****... Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)****Present: Ms. Riffi Birla, 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.171 dated 22.11.2024 registered under Sections 333/115(2)/118(1), 191(3), 190, 351(2)/351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 117(2)/118(2) and 238 of BNS added later on) at Police Station City Fazilka, District Fazilka.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Shivam alleging therein that on the intervening night of 18.11.2024, a marriage function of his cousin brother was taking place at Sanjiv Palace, Fazilka. The petitioner was present there. He was in drunken condition and started eve-teasing girls,

**CRM-M-64922-2025 (O&M)**

which was objected by the complainant and others and the petitioner started abusing and manhandling the persons who were present there. He was turned out of the venue. On the night of 19.11.2024, he entered inside the house of his aunt alongwith the co-accused and some unknown person and opened an assault upon the complainant and other persons who sustained multiple injuries. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 16.09.2025. The co-accused were arrested subsequently. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 03 days in registration of FIR, which has not been satisfactorily explained. The trial will take considerable time to conclude. The co-accused Ajay and Gurpreet Singh have been extended benefit of pre-arrest bail. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petitioner deserves to be released on bail.

4. Status report has been filed. Learned State counsel argued that the petitioner had actively participated in the occurrence and had voluntarily caused injuries to the victims. The allegations against him are serious in nature. There are chances of his intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, hence, stressed that the petition does not deserve to be allowed.

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

**CRM-M-64922-2025 (O&M)**

6. The petitioner is in custody since 16.09.2025. He is not required for further investigation. He has clean antecedents. The trial will considerable take time to conclude, since even charges have not been framed so far. No useful purpose would be served by the detaining the petitioner in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. It is also well settled that 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.

**CRM-M-64922-2025 (O&M)**

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

(MANISHA BATRA)
JUDGE

14.01.2026
Amit Sharma

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