

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.042321



CRM-M-65150-2025 (O&M)

Date of Decision: 18.03.2026

GURMAIL SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. J.S. Sandhu, Advocate for the petitioner.

Mr. Parneet Singh Pandher, A.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.33 dated 21.07.2024 registered under Sections 103, 3(5) of BNS at Police Station Nandgarh, Distt. Bathinda.

2. The case of the prosecution is that on the intervening night of 20/21.07.2024, complainant heard a noise that neighbour Baljinder Singh @ Lali was shouting that the son of the complainant Vicky Kumar had been tied up in the house of Sukhpreet Singh. When the complainant, his wife, and son Rinku reached there, then Baljinder Singh closed the door of the room. Looking through a broken window, the complainant saw that Vicky Kumar was tied on a bed with rope, while Baljinder Singh (with a wooden log), petitioner (with a spade), Sukhpreet Singh (with a dang) and Lovepreet Singh (with a wooden log) were present giving beatings to Vicky Kumar. It is further the case of the prosecution that Sukhpreet Singh kept on beating Vicky Kumar until he died.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is the father of the main accused and has been falsely roped in the present case as he

was residing with his son. The petitioner is 68 years old. It is further submitted that the deceased had an illicit relation with the wife of the main accused, due to which the occurrence had taken place as the deceased had come to the house of the petitioner to meet his daughter-in-law. The petitioner is in custody for the last 01 year, 07 months and 20 days and is not involved in any other case. He prays for grant of regular bail to the petitioner.

4. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the status report by way of affidavit of Harvinder Singh Sra, PPS, Deputy Superintendent of Police, Rural, Bathinda and custody certificate in Court, which are taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 07 months and 20 days and out of total 20 prosecution witnesses, only 08 have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner (father of the main accused) is aged 68 years; he is not involved in any other case; the petitioner is in custody for the last 01 year, 07 months and 20 days; out of total 20 prosecution witnesses, only 08 have been examined so far; the trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

18.03.2026
Janki

(H.S.GREWAL)
JUDGE

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