



CRM-M-65486 of 2025

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

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CRM-M-65486 of 2025
Date of Decision: 06.02.2026

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Jaswinder Singh Rana, Advocate
for the petitioner.

Ms. Aiman J. Chishti, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.54 dated 07.06.2025 registered under Sections 109, 326(G), 324(4), 324(5), 221, 132, 333, 191(3), 190, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (Section 115(2) of the BNS added later on), at Police Station Bhindi Saidan, District Amritsar.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused named in the FIR and 70-80 unknown persons pelted stones at the houses. The mob had also set some houses on fire. On receipt of information, the police party reached at the spot and found that both groups were indulging in pelting stones at each other. Some persons were on the roof top while others were on the ground, raising lalkaras to kill

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each other. When the police party tried to intervene, stones were hurled at them also. One stone hit on the foot of CT Narvinder Singh. Despite repeated warning and shots being fired by the police in the air, the situation could not be brought under control. Wireless message was sent to senior officers to send some additional force and fire brigade was also called to control the fire which had set in the houses. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has not committed the alleged offence. He argued that the real facts of the case are that there was a dispute between two groups and the FIR in question was registered on the basis of secret information. He argued that there is not even an iota of evidence to connect the present petitioner with the alleged crime. He further argued that it is a case of version and cross-version where both the parties have pelted stones at each other and suffered injuries. He argued that even if the contents of the FIR are taken to be true, even then no specific role/injury is attributed to the petitioner. The petitioner is in custody since 07.06.2025 and nothing is to be recovered from him. The investigation in the case is complete and challan also stands presented. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, she has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. She argued



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that the petitioner is specifically named in the FIR and he has actively participated in the crime. She has further submitted that the petitioner is involved in multiple other cases meaning thereby he is a habitual offender.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 07 months; investigation is complete; challan stands presented; the complicity of the petitioner is a matter of trial, the trial is proceeding at snail's pace and the same will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot

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be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

06.02.2026*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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