

2026.PHHC.013335



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-65922-2025

Date of decision: 29th January, 2026

Pawan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankit Joshi, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

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. 113 dated 02.08.2025 registered under Sections 109, 126(2), 115(2), 61(2), 191(3), 190 and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') with further enhances offence under Section 117(2) of BNS vide DDR No. 42 dated 10.08.2025 at Police Station City-1, Mansa, District Mansa.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Nilesh Kumar Gade, who was working as Plant Head at Power Mak Project Limited Company, Talwandi Sabo, alleging that it was mandatory for the employees of his company to undergo medical examination before starting work. The accused Kuldeep Singh and Simranjit

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Singh were running a multipurpose laboratory and the employees of his company were undergoing medical tests with their lab. Since the medical reports of their laboratory were not found to be satisfactory, therefore, the authorities of the company were proposing to set up a medical laboratory in its plant. The abovenamed and the co-accused had come to know about this fact and were offended with the complainant and had been extending threats to him.

3. It was further alleged that in the morning of 01.08.2025, when the complainant was going towards the plant, he was intercepted by five persons, one of whom was Baljinder Singh already known to him. All of them encircled him and opened an assault upon him thereby causing injuries. They were proclaiming that he would be taught a lesson for proposing to establish lab in the plant. After registration of FIR, investigation proceedings were initiated. On 10.08.2025, the complainant recorded his supplementary statement on the basis of which the present petitioner along with some other persons was nominated as additional accused. He was arrested on 13.08.2025. He was identified by one of the attackers by the complainant who disclosed that the petitioner had assaulted him by giving kicks and fist blows. The investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No specific overt act has been attributed to him. He is in custody since 13.08.2025. Trial will take considerable time to conclude. No useful purpose would be served by

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detaining him in custody anymore. It is, therefore, argued that he deserves to be released on bail.

5. Status report has been filed by respondent-State. Learned State counsel has argued that taking into consideration the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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

7. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have assaulted the victim who sustained simple as well as grievous injuries. No specific injury has been attributed to the petitioner. He is in custody since 13.08.2025. Some of the assailants have been extended benefit of pre-arrest bail. There are no chances of conclusion of trial in near future as no prosecution witness has been examined so far. The continued detention of the petitioner is not going to serve any fruitful purpose. It is well settled that pre-trial incarceration should not be a replica of post-conviction sentence. It is also well settled proposition of law that bail is the rule and jail is an exception. Taking into consideration the above discussed fact, but without meaning to make any comment on the merits thereof, 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/

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Duty Magistrate concerned.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th January, 2026
Parveen Sharma

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