

**CRM-M-69191-2025 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****125****CRM-M-69191-2025 (O&M)****Date of Decision: 19.02.2026****Dipti Singh @D.C.****.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH****Present: Mr. Kuldeep Singh, Advocate for the petitioner.****Mr. Eklavya Darshi, Deputy Advocate General, Punjab.****Mr. Sarvesh Singla, Advocate for the complainant.****SURYA PARTAP SINGH, J. (Oral):**

This petition for bail, which is first petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed with regard to a case arising out of FIR No.267 dated 22.10.2025 for the commission of offence punishable under Sections 115(2), 126(2), 110, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, Police Station Bhawanigarh, District Sangrur.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being on the statement of 'Chamkaur Singh', hereinafter being referred to as 'complainant' only. It was stated by the complainant that

on 20.10.2025 at about 08:30 pm, his cousin 'Lovejeet Singh @ Baba' had parked his combine in the street in front of house of complainant, and that its stereo was on and the songs were being played. According to complainant, 'Prabhjot Kaur', the wife of 'Dipti Singh @ DC' (petitioner herein), objected to the playing of songs, and therefore, the music was stopped. The complainant further alleged that thereafter, 'Dipti Singh @ DC' armed with danda (wooden handle), 'Mohan Singh' armed with stick and 'Bahadur Singh', surrounded the complainant and his cousin 'Vikramjit Singh @ Vikka', launched an attack upon them with an intention to kill them, and inflicted multiple injuries. The complainant further alleged that when he screamed for help, their neighbours rushed to the spot, and thereafter, the assailants ran away from the spot.

3. It is the case of the prosecution that pursuant to abovementioned statement, formal FIR of this case was lodged and the investigation taken up. As per prosecution, during the course of investigation, the medico-legal report of injured was collected.

4. **Notice of motion.**

5. Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab, appears on behalf of respondent-State, and waives service. Custody Certificate has been filed by learned State Counsel. The same be taken on record. No formal reply has

been filed by the State. However, the learned State counsel has opted to orally oppose the present petition.

6. Heard.

7. It has been contended on behalf of petitioner that the petitioner has been falsely implicated in the present case, by cooking up a false story. As per learned counsel for the petitioner otherwise also. No injury, which can be declared to be dangerous to life, has been inflicted on the person of complainant or other victim. It has also been contended by learned counsel for the petitioner that the petitioner and the complainant belong to the same locality, and that with the intervention of respectables of the society, they have entered into compromise, and want to live peacefully. In view of abovementioned grounds, the learned counsel for the petitioner has urged for the concession of bail to the petitioner.

8. The learned State Counsel has controverted the abovementioned arguments on the ground that allegations against the petitioner are for an attempt to commit culpable homicide. As per learned State Counsel, the allegations being serious in nature, the petitioner is not entitled for the benefit of concession of bail.

9. However, the learned counsel for the complainant has admitted that the parties have reached to compromise, and that in view of abovementioned compromise, the complainant has no objection if the benefit

of bail is afforded to the petitioner.

10. The record has been perused carefully.

11. A perusal of the record shows that following are the relevant factors which are required to be taken into consideration for the purpose of decision in the present petition:-

- i) that the offence being non-compoundable the plea of alleged compromise has no relevance in this case;
- ii) that the petitioner is already in custody for a period of more than three months;
- iii) that no injury has been declared to be dangerous to life;
- iv) that the injured have already been discharged from the hospital;
- v) that as per custody certificate, the petitioner has no criminal antecedents;
- vi) that nothing is left to be recovered from the possession of petitioner;
- vii) that trial of the case is not likely to be concluded in near future;
- viii) that detention of petitioner in judicial lockup is not likely to serve any purpose;
- ix) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and

- x) that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in the trial.

12. In the present case, the principles of law laid down by the Hon'ble Supreme Court in the case of "Dataram versus State of Uttar Pradesh and another", 2018(2) R.C.R. (Criminal) 131, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to

introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

13. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil Vs. Central Bureau of Investigation and Another’, (2022) 10 SCC 51, are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

14. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court

of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

15. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon’ble Apex court in “Balwinder Singh versus State of Punjab and Another”, 2024 SCC Online SC 4354.

16. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

17. Accordingly, without commenting anything on the merits of the case, the present petition is hereby *allowed*. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

19.02.2026

Vinod

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No