



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

218

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CRM-M No.70275 of 2025  
Date of decision : 2.2.2026  
Date of uploading : 2.2.2026

Himanshu .....Petitioner  
Versus  
State of Punjab .....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. A.S. Brar, Advocate, for the petitioner  
Mr. Baljinder Singh Sra, Addl. AG, Punjab  
Mr. Tarun Singla, Advocate, for the complainant  
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SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.40 dated 16.4.2025 under Sections 103, 126(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 , registered at Police Station Maur, District Bathinda.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

*'Copy of Statement, Darshan Singh son of Arjun Singh, resident near Peerkhana, Ward No. 10, Maur Mandi, aged about 75 years, M.No. 62832-15551 stated that I am a resident of the above-mentioned address. I work as a labourer. We are two brothers, the name of my elder brother is Karam Singh. We live together in one family. My brother Karam Singh has 5 daughters and one son, whose name is Deep Singh, who was still*



*unmarried, and all the daughters are married. Some individuals from Mansa used to come to our locality to sell drugs. My nephew, Deep Singh, used to complain to them about this. On 14.04.2025 at about 9/9:30 PM my nephew had gone to the shop to get some items. Then, Subhash Kumar @ Subhasi son of Pillu Ram, resident of Ward No. 10, Maur Mandi, Preet son of Harbans Lal, Sahil son of Shivji Ram, Akashdeep Singh son of Sukhwinder Singh, residents of Mansa, and 06 unknown persons, who were carrying Kirpans, axes, and iron rods, were on three motorcycles. They surrounded my nephew, Deep Singh, and all of them inflicted injuries with their respective weapons. I raised an alarm, "Marta Marta" Seeing a large crowd gather, all the individuals fled on their motorcycles along with their weapons. We all arranged a vehicle and took him to Civil Hospital Bathinda, from where we were further referred to Faridkot Hospital and from Faridkot sent us back to Bathinda Hospital. He died on the way while coming from Faridkot to Bathinda. His body is currently lying in the Civil Hospital Bathinda. Necessary legal action should be taken against the aforementioned accused. The statement has been written, I have heard it, and it is correct. L.T.I. Darshan Singh Witness to the Statement: Sd/- Dev son of Pala Ram, resident of Ward No. 10, near Peerkhana, Maur Mandi, 80545-05112.'*

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 16.4.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the prime prosecution witnesses namely PW-1 Darshan Singh (FIR-complainant), PW-2 Dev Singh and PW-3 Manga Singh have turned hostile and thus the trial is not culminate into conviction. Learned counsel has further iterated that the petitioner is a young man aged about 20 years with clean antecedents.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned



State counsel seeks to place on record custody certificate dated 31.1.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 16.4.2025 wherein after investigation was carried out and challan stands presented on 15.7.2025. Charges in the present case were framed on 29.8.2025. Total 19 prosecution witnesses have been cited and it is conceded case of the parties that none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions; including the weightage/veracity required to be attached to the testimonies of hostile witnesses; shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 31.1.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 9 months and 12 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds



to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)  
JUDGE

2.2.2026  
Ashwani

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