

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:032802



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CRM-M-70849-2025 (O&M)
Date of decision:27.02.2026

Gurpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gunjeet Singh Brar, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Abhay Gupta, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
204	3108.2025	Talwandi Sabo, District Bathinda	109, 115(2), 126(3), 190, 191(3), 324(4) and 351(2) of the BNS.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Kuldeep Singh, alleging that he was working as a Senior Executive in Thermal Plant, District Mansa. In the morning of 31.08.2025, he was going towards his village in his car, when on the way, he was intercepted by the petitioner, co-accused Hari Singh and

two unknown persons, who came in a Mahindra XUV500 car bearing registration No.HR-51AW-1159. The unknown persons, who were having muffled faces and were armed with iron rods alighted from the vehicle and damaged the window pane of his car whereas the petitioner struck his car with the car of the complainant. To save himself, the complainant came out of his vehicle and tried to flee. The petitioner then took out a '*ghan*' and struck a blow with the same upon the complainant. Accused Hari Singh proclaimed that ever since the election of the complainant as a village Sarpanch, they had lost their respect and they would eliminate him (complainant). The petitioner struck another blow with '*ghan*', thereby injuring the right leg of the complainant. Unknown persons and accused Hari Singh also caused injuries on his person. On instigation of the petitioner, accused Hari Singh fired a shot with some firearm and the pellets of the same hit his right arm. In the meanwhile, some motorbikers had reached there and then the assailants fled away. Complainant was taken to the hospital and was given treatment.

3. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 14.10.2025 whereas co-accused Hari Singh was arrested on 15.10.2025. They suffered disclosure statements admitting their involvement in the crime and disclosed the name of one Sohi Singh as their accomplice, who was nominated as additional accused. Investigation now stands completed

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 14.10.2025. The injuries sustained by the victim have not been opined to be dangerous to life.

He is not required for further investigation. No useful purpose would be served by detaining him in custody anymore. It is, thus, argued that he deserves to be released on bail.

5. Power of attorney on behalf of the complainant has been filed. Status report and custody certificate have also been filed. Learned State counsel assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioner, who along with co-accused, had voluntarily caused simple as well as grievous injuries to the complainant with an intent to kill him. He is a habitual offender being involved in 18 other cases. The complainant/victim is yet to be examined. There are chances of the petitioner's intimidating the complainant and other material witnesses or committing similar offences, if extended benefit of bail. It is, therefore, stressed that he does not deserve to be extended benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner along with co-accused is alleged to have opened an assault upon the complainant and caused injuries on his person. As per the status report, two of the injuries sustained by the complainant on his leg have been declared to be grievous in nature. The allegations *prima facie* make out a case for commission of subject offences as against the petitioner. However, he has been in custody since 14.10.2025. Investigation has been concluded and challan has been presented. The petitioner, as such, is not required for further investigation. Though, he is shown to be involved in some other cases but on that ground alone, he cannot be denied benefit of

bail. There is no basis for the contention that he may intimidate the witnesses or commit similar offences. It is well settled proposition of law that bail is the rule and jail is an exception and that pre-trial incarceration should not be a replica of post conviction sentencing.

8. Keeping in view the facts and circumstances peculiar to this case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing personal as well as surety bonds to the extent of two sureties in the like amount each, to the satisfaction of the learned trial Court, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court.

9. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

27.02.2026

harjeet

(MANISHA BATRA)
JUDGE

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