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(131)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-73252-2025
Date of Decision: 11.03.2026****SUKHCHAIN SINGH ALIAS SUKHI****... Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. J.S. Mehndiratta, Senior Advocate with
Mr. K.S. Sethi, Advocate,
Ms. Jyotnoor Kaur Sethi, Advocate and
Ms. Tanveer Kaur, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.78 dated 26.05.2025 registered under Sections 109, 118(1), 115(2), 191(3), 190, 351(1), 351(3) and 61(2) of BNS (Report u/s 173 Cr.P.C. has been presented under Sections 109, 118(1), 118(2), 115(2), 191(3), 190, 351(1), 351(3), 61(2) and Section 25 of Arms Act, at Police Station Sadar, Patiala.

2. The present FIR came to be registered at the instance of Dalwinder Singh which reads as under:-

“Statement of Dalwinder Singh son of Gurmail Singh, resident of village Daun Kala, police station Sadar, Patiala, age about 55 years, mobile number 88470-63335. Stated that I am a resident of the above- mentioned address. I do agricultural work. On 24-05-2025, in the morning, I was coming to my



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house on my tractor from my fields after farming the same at around 9/9:15 PM. At this time, two vehicles, a Thar and a Swift, were parked on the Village road near my house. I crossed them and parked the tractor at the outer gate of my house and honked the horn. When my wife Harpreet Kaur opened the gate, a Thar car and a Swift car came from behind me, which were parked in front of me. Around 7/8 people got out of the said cars, who were carrying rods and kirpans in their hands. When I started to drive the tractor inside my house, said 7/8 people surrounded me sitting on the tractor and attacked me with rods and swords. I got down from the tractor to save myself. At this, above said persons threw me on the road and I shouted loudly for help. In that moment, my wife Harpreet Kaur and my two children ran out of the house. My wife tried to save me. At this, above unknown persons also beat her with rods and my children also came forward to save her. Then one of the aforesaid assailants took out a revolver from his trunk and asked us to stand there or we would be killed. Above said assailants kicked me on both my arms, and also hit me with swords and swords. One person hit me with a rod on the back of my head and also hit on my wife Harpreet Kaur's left arm with a rod, which broke her left arm. My wife and I started shouting. At this people started gathering at the spot. Above said persons gave me beatings and told me that Tejinder Singh Fauji had sent them for this. Above said persons also broke the lights of my tractor while leaving. On seeing the people gathering at the spot above said assailants fled away from the spot in their aforesaid vehicles. I do not know the names of the people who beat me, but I can identify them on seeing them again. Action may be taken against aforesaid unknown persons. Above said statement has been recorded after reaching at Ward No.8 R/H. Statement heard and it is correct. Sd/- Dalwinder Singh.”

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3. The learned Senior counsel for the petitioner contends that the petitioner has not been named in the FIR but only in the disclosure statement of one Tejinder Singh @ Fauji. The recoveries of an iron rod and swords shown to have been effected from the petitioner and his co-accused is from a public place accessible to all. As the petitioner is in custody since 14.07.2025 but none of the 29 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. On the other hand, the learned State counsel has filed a reply dated 10.02.2026 by way of an affidavit, which is taken on record. While referring to the said reply, he contends that the supplementary statement of the complainant-Dalwinder Singh was recorded on 03.06.2025 as per which injuries have been caused to him at the instance of the Tejinder Singh @ Fauji, who was in custody in a murder case of one Dharambir Singh @ Bhinda, the close friend of the complainant. The petitioner has been named in the disclosure statement of Tejinder Singh @ Fauji. Recovery of weapons has been effected from him. Therefore, he is not entitled to the concession of bail as prayed for. He, however, concedes that the petitioner is in custody since 14.07.2025 but none of the 29 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, the present petitioner has not been named in the FIR. Whether the other evidence available against him is sufficient to

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establish his culpability shall be examined during the course of the trial. The petitioner is in custody since 14.07.2025 but none of the 29 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Sukhchain Singh @ Sukhi S/o Amrik Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

10. The petition stands disposed of.

11.03.2026

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**(JASJIT SINGH BEDI)
JUDGE****Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**