



2026:PHHC:059824

2026:PHHC:059824



CRM-M-11188 of 2026

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

242

CRM-M-11188 of 2026
Date of Decision: 21.04.2026

Sandeep Singh @ Sunny

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Prabhjot Singh, Advocate
for the petitioner.

Mr. Ekompal Sagoo, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.131 dated 29.09.2025 registered under Sections 118(1), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (Section 118(2) of BNS was added later on), at Police Station City Jalalabad, District Fazilka.

2. Brief facts as per the case of the prosecution are that the petitioner along with co-accused, attacked the complainant and caused serious injuries to him, due to some old enmity. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He argued that the alleged occurrence took place on 24.09.2025 but the FIR in question was



2026:PHHC:059824

2026:PHHC:059824



CRM-M-11188 of 2026

-2-

registered on 29.09.2025 i.e. after an unexplained delay of 05 days, casting serious doubt on the prosecution story. He argued that in fact, the complainant is the husband of the sister of the petitioner and the petitioner was roped in the present case only due to matrimonial discord of the complainant with the sister of the petitioner. He further argued that the MLR of injured does not suggest any severance of hand, as alleged by the prosecution. Reliance in this regard is placed upon Annexure P-2. He further argued that Section 118(2) of BNS has been added by the prosecution later on, only to make the offence graver. Moreover, the petitioner has clean antecedents as he is not involved in any other case and nothing is to be recovered from him. The petitioner is in custody since 01.12.2025. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submitted that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and while referring to the status report already filed in the matter, he has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 03 months; the MLR of injured is not in consonance



2026:PHHC:059824

2026:PHHC:059824



CRM-M-11188 of 2026

-3-

with the prosecution version; he has clean antecedents; investigation in the FIR is complete; challan stands presented; charges framed; the complicity of the petitioner is a matter of trial, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein the Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

21.04.2026

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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