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CRM-M No.18174 of 2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M No.18174 of 2026
Date of decision : 10.4.2026
Date of uploading : 10.4.2026**

Arshdeep Singh @ Kaka SinghPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Adish Jain, Advocate and
Ms. Nishtha Garg, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

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 bearing FIR No.435 dated 22.10.2025, registered for the offences punishable under Sections 109, 118(2), 191(3), 190, 351(2), 324(4), 115(2) of Bharatiya Nyaya Sanhita, 2023, at Police Station Faridkot, District Faridkot.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Kamaljit Singh I am doing mobile shop in the name of Gurpreet Telecom on 20.10.2025 I and my wife Taranpreet Kaur were coming back to our house after paying obisence at Gururdwara Sahib at about 6.30 pm Arshdeep Singh son of Krishan Singh, Kaka Singh son of Bhinder Singh @ Bhinda Halwi, Satnam Singh son of Amarjeet Singh @



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Uggi, Sukhvir Singh @ Sukha son of Jagsir Singh @ Jabba and Bobby son of Kewal Singh residents of Dr. Ambedkar Nagar Kamiana Gate Faridkot were talking on the backside of our house by parking their motorcycle I asked them that the street is very narrow and please go in the open space and Satnam Singh told me that street is not of your father that you are stopping us from standing here. I said the street is of the public but as it is a festival day you get ahead. On saying so I and my wife went inside our house then after celebrating the Diwali Festival I and my wife slept in upper portion of the house at about 10.30 pm we heard sound of the carackers and saw from the parapet in the street Arshdeep Singh armed with kirpan, Kaka Singh armed with kappa, Sukhvir Singh empty handed, Satnam Singh empty handed and Bobby also emptied handed were standing in the street in front of our house, Stanam Singh gave a lalkara come down stairs we will teach you a lesson for stopping us for standing in the street. I stated that we are not quarrel with you, you also celebrate Diwali with your family, Arshdeep Singh and Kaka Singh started breaking our door with their kirpan and kappa I kept on requesting them by standing on the roof meanwhile my wife Taranpreet Kaur also came there and pleaded that we have not point of fighting. Sukhvir Singh @ Sukha broke a earthen pot lying there in the street and started throwing towards us, Bobby throw brick bats towards us. My wife Taranpreet Kaur went forward to pacify them then Sukhvir Singh @ Sukha and Arshdeep Singh claimed with stairs in front of our house Sukhvir Singh @ Sukha throw a piece of earthen pot towards head of my wife, which hit on her left eye I tried to take care of her but Bobby throw a brick bat which hit on my stomach on hearing our cries my parents came in the upper portion, that the left eye and entire face of my wife was covered with blood. We raised cries then they all went away with their respective weapons while abusing and threatening to kill us. Thereafter, I and my father got admitted Taranpreet Kaur in GGSMC&H in Faridkot, but we all took my wife to DMC Ludhian for better treatment, during the treatment Dr. told that the eye of Taranpreet Kaur has been damaged and all the accused has caused injuries in order to kill us. I had made my statement Sd/- Kamaljit Singh, Sd/- ASI Chamkaur Singh dated 22.10.2025.'

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 30.10.2025. Learned counsel for the petitioner has



further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that, assuming *arguendo*, the prosecution version is taken to be correct, the role attributed to the petitioner is that of vandalizing of property. Learned counsel has further submitted that the petitioner has suffered incarceration for more than 5 months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature, and thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 9.4.2026 in Court, which is taken on record.

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

6. The petitioner was arrested on 27.10.2025 and is stated to be in continuous custody since then. Upon culmination of investigation, challan was presented on 19.01.2026. Total 21 prosecution witnesses have been cited and it is the conceded position before this Court that none of the prosecution witness has been examined till date. It is, thus, indubitable that conclusion of trial will take long time. The rival contentions raised at bar; as to the whether the petitioner has been falsely implicated into the FIR; 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner



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absconding from the process of justice or interfering with the remaining prosecution evidence. Further, as per the custody certificate dated 09.04.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 5 months & 9 days. Further, as per the said custody certificate, though the petitioner is stated to be earlier involved in One another FIR but he stands acquitted in that case.

6.1 As per custody certificate dated 9.4.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 9 days. As per the said custody certificate, the petitioner is stated to be involved in 2 other FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

7. In view of the factual milieu of the case in hand, the petition is



allowed and the petitioner is granted interim regular bail till the presentation of chemical examiner report before the concerned Court. Petitioner is ordered to be released on regular bail, accordingly, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. Needless to say that the petitioner shall be entitled to apply for regular bail afresh before the concerned trial Court after presentation of chemical examiner report and his having surrendered before the concerned Court. However, in addition to conditions that may be imposed by the concerned trial Court/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



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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

10.4.2026

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No