



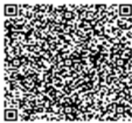
CRM-M-38866-2026

2026:PHHC:126400
-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CNR No: PHHC011141302026

2026:PHHC:126400



CRM-M-38866-2026

Varinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	03.09.2026
2	The date when the judgment is pronounced	09.09.2026
3	The date when the judgment is uploaded on the website	09.09.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Rinky Gupta, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 05 dated 11.01.2026 registered under Sections 109, 115(2), 118(1), 126(2), 296 and 3(5) of BNS (Section 238 of BNS was added later on) at Police Station Sadar, Raikot, District Ludhiana Rural.



2. The aforementioned FIR was registered on the basis of the statement made by complainant Manjeet Singh, alleging that on 20.12.2025, he along with his friend Amreek Singh had gone towards the bus stand of his village, where the present petitioner was found standing along with the co-accused on motorcycles. While he was talking to Amreek Singh, accused Harjeet Singh alias Chhotu suddenly approached him from behind and with an intent to kill him, inflicted a blow with a *kirpan* on the back of his head and another blow on his right shoulder. The present petitioner, who was also carrying a *kirpan*, inflicted blows with the same, causing injuries on the complainant's left ear and shoulder. The accused Surjeet Singh and Ramjeet Singh gave him fist blows and kicks, as a result of which he fell to the ground. The accused also extended threats to kill him. Thereafter, the assailants fled from the spot on seeing some persons coming there. The complainant was thereafter taken to the hospital by his friend Amreek Singh. The accused Harjeet Singh who was addicted to drugs and was nursing a grudge against the complainant, had attempted to kill him, along with the co-accused.

3. After registration of the FIR, investigation proceedings were initiated. The injuries sustained by the complainant were opined to be dangerous to life. The petitioner and co-accused Harjeet Singh and Surjeet Singh were arrested on 13.01.2026. During investigation, the petitioner suffered a disclosure statement admitting his involvement in the occurrence and got recovered the motorcycle used at the time of occurrence. He also



disclosed that he had destroyed the weapon of offence. Offence under Section 238 of BNS was added. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case. There is delay of 20 days in lodging of the FIR, which has not been satisfactorily explained. The petitioner has undergone incarceration for about 08 months and is no longer required for further investigation. The trial is likely to take considerable time to conclude. His continued detention would serve no fruitful purpose. His antecedents are clean. It is, therefore, argued that the petitioner deserves the concession of bail.

5. *Per contra*, learned State counsel has argued that keeping in view the nature of the allegations as levelled against the petitioner and active role as played by him, he does not deserve the concession of bail. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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

7. The petitioner, in furtherance of his common intention with the co-accused, is alleged to have assaulted the complainant with a *kirpan*, thereby causing injuries which have been opined to be dangerous to life. The allegations *prima facie* make out a case for commission of subject offences as against him. However, the petitioner has been in custody since 13.01.2026 and has suffered incarceration for about eight months. The trial is likely to



take considerable time to conclude as charges have not even been framed so far. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing and that bail is the rule and jail is an exception. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. In view of the discussion made above, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore and he has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

8. 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.

9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

9th September, 2026

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No