



CRM-M-49495-2026 (O&M)

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

CNR No: PHHC011474362026

2026:PHHC:127087

**CRM-M-49495-2026 (O&M)****Date of Decision: 09.09.2026****KARAJ SINGH****... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. This is the first petition seeking regular bail under Section 483 of the BNSS, 2023 (U/s 439 Cr.P.C.) in FIR No. 18 dated 12.04.2024 under Sections 302, 342, 324, 34 IPC (Section 103, 127(2), 118 (1), 3(5) BNS, 2023) registered at Police Station Fattu DHINGA, District Kapurthala.

2. The case of the prosecution is that the complainant alleged that his sister, Paramjit Kaur, had solemnized marriage on her own free will with Gurpreet Singh, who is the brother of the present petitioner. Owing to the disputes arising out of the said marriage, the accused persons allegedly developed a grudge against the complainant's family. On 10.04.2024, when the complainant, his father Gurmukh Singh, and his cousin were returning home and reached in front of the house of the petitioner, they allegedly found that accused namely Gurpreet Singh, Karaj Singh (petitioner), Sonia, and Kuldeep Kaur were standing outside the house. It is alleged that they waylaid them, forcibly dragged Gurmukh Singh inside the house, and assaulted him. Thereafter Gurpreet Singh inflicted a datar blow on the backside of head of Gurmukh Singh, while the other accused also participated in the assault. Gurmukh Singh was initially taken to the Civil

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Hospital, Kapurthala, and was thereafter referred to Guru Nanak Mission Hospital, Amritsar, where he succumbed to his injuries on 12.04.2024.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case on account of the enmity between the two families. He further submits that the complainant's sister and the petitioner's brother had solemnized marriage on their own free will and had been residing separately thereafter. It is contended that no specific overt act or injury has been attributed to the petitioner. He further submits that the petitioner is in custody for the last 02 years, 04 months and 24 days. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of the State and has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. He has filed the custody certificate in the Court today and the same is taken on record. He submits that the petitioner is in custody for the last 02 years, 04 months and 24 days.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner is in custody for the last 02 years, 04 months and 24 days; the trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is the rule and jail is the exception'*.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing **Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025)**, decided



on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

11. It is clarified that while on bail so granted through the instant order, if the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

09.09.2026

Janki

(H.S.GREWAL)
JUDGE

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