



CRM-M-8633-2025

**239 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-8633-2025****Date of decision: 04.04.2025**

Sahilpreet Singh @ Nikka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRAPresent: Mr. J.K.Singla, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab.

MANISHA BATRA, J (ORAL)

The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 118 dated 06.10.2024 registered under Sections 109, 118, 126(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Rampura, District Bathinda.

2. As per the prosecution case, on 06.10.2024, the present petitioner accompanied by the co-accused intercepted the complainant Napinder Singh and opened an assault upon him thereby intending to kill him. The victim had sustained injuries at the hands of the petitioner and the co-accused. The injury, which was attributed to the petitioner, has been declared to be grievous in nature whereas four other injuries attributed to co-accused were opined to be simple in nature.

3. The present petition has been filed by the petitioner on the



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grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 23.10.2024. Challan stands filed. Trial is likely to take time. His further detention would not serve any useful purpose. He does not have any criminal antecedents. Therefore, it is urged that he deserves to be released on bail.

4. Status report as well as custody certificate has been filed by respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in furtherance of his common intention with the co-accused is alleged to have inflicted simple as well as grievous injuries to the complainant. He is in custody since 23.10.2024. The injury attributed to the petitioner was opined to be grievous in nature. However, no injury has been opined to be dangerous to life. The petitioner has otherwise clean antecedents. The trial would take considerable time to conclude. The co-accused Gurjeet Singh @ Jani has already been extended the benefit of bail. No useful purpose would be served by his further incarceration. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the attending facts and circumstances of the case but without meaning to make any comment on the merits thereof, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.



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7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

04.04.2025

Sonia

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