



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

236

CRM-M-27504-2025
Decided on : 18.08.2025

Jatinder Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohd. Yousaf, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

Mr. V.G. Johar, Advocate,
for the complainant.

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned State counsel has filed the status report dated 16.08.2025 and custody certificate dated 17.08.2025 in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate places.

Copies thereof have been handed over to the counsel for the petitioner.

2. The instant petition has been filed under Section 439 of Cr.P.C. (corresponding Section 483 of BNSS, 2023), for grant of regular bail to the petitioner, who has been booked for having committed the offence punishable under Sections 325, 323, 148, 149 of IPC (Section 308 of IPC added later on), in GD No.12, dated 11.02.2024, in FIR No.17, dated 06.02.2024, under Sections 324, 323, 427, 34 of IPC, registered at Police Station Sadar Dhuri, District Sangrur.



3. It is argued that the incident in question took place on 06.02.2024, and initially, at the instance of the petitioner's party, FIR No.17, dated 06.02.2024, was registered under Sections 324, 323, 427, 34 IPC at Police Station Sadar Dhuri, District Sangrur (Punjab), against the complainant party in the present case.

Subsequently, a cross-version was registered vide GD No.12, dated 11.02.2024, under Sections 325, 323, 148, 149 IPC against the petitioner and his other co-accused. After registration of the cross-version, petitioner and other co-accused were released on police bail on 26.03.2024. However, upon addition of the offence under Section 308 IPC, petitioner was again arrested and, thus, he is in custody since 03.08.2024, having completed incarceration of 01 year and 14 days.

4. Learned counsel for the petitioner also argues that although the petitioner is attributed to be the main accused, allegedly causing an iron rod blow on the head of the injured, namely, Pargat Singh, yet the injured has since recovered after due treatment and has been discharged from the hospital. Further submits that since both the parties are residents of the same neighborhood and the incident in question took place in front of the house of the petitioner, it would be a moot question during trial as to which party was the aggressor.

He further submits that there are a total of 17 prosecution witnesses in the FIR case and 26 prosecution witnesses in the cross-version case, wherein the petitioner is facing trial, and out of 26 prosecution witnesses, none has been examined till date. Thus, learned counsel prays for grant of concession of regular bail to the petitioner.



5. On the other hand, learned State counsel, assisted by learned counsel for the complainant, vehemently opposed the prayer made by petitioner's counsel.

However, the factual position asserted by the petitioner's counsel and noticed here-above is not disputed either by learned State counsel or by learned counsel for the complainant. It is also an admitted position that out of a total of 26 prosecution witnesses, none has been examined so far, despite the petitioner having completed 01 year and 14 days of incarceration.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. Since this is a case of version and cross-version, and the offence under Section 308 IPC was added after a delay of about two months, the culpability is yet to be established, including the issue as to which party was the aggressor in the incident in question. It is also a matter of record that despite the petitioner having completed incarceration of 01 year and 14 days, out of total 26 prosecution witnesses in the cross-version case, none has been examined so far, and therefore, the trial is not progressing at the required pace.

8. Taking note of all the circumstances, including the fact that both parties are residing in the same neighborhood, and any continued incarceration under Section 308 IPC may adversely affect the petitioner's future prospects as well as the possibility of resolving the dispute once and for all, I deem it appropriate to grant the concession of regular bail to the petitioner.



9. Consequently, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to his furnishing
bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial
Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in
any other case.

10. Needless to observe that the petitioner shall not extend any
threat and shall not influence any prosecution witness in any manner directly
or indirectly.

11. The observation made here-in-above shall not be construed as
an expression of opinion on the facts of the case and the Trial Court is
expected to decide the case on the basis of complete evidence available on
record.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 18, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No