



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

212

**CRM-M-43096-2024**

**Date of decision: 28<sup>th</sup> March, 2025**

Dalawar Singh @ Dilawar

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. P.S. Sullar, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

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**MANISHA BATRA, J (ORAL):-**

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. 60 dated 11.05.2024 registered under Sections 323, 324, 506, 148 read with Section 149 of IPC (Section 307 of IPC added later on) at Police Station Machhiwara, Khanna.

2. As per the allegations, on the evening of 10.05.2024, the petitioner along with the co-accused and some unidentified persons opened an assault upon Balwinder Singh, brother of the complainant Rajwinder Singh, while being armed with weapons. On hearing noises, the complainant was attracted towards the spot and on seeing him, the assailants fled away. The victim was rushed to the hospital. Initially, a case under Sections 323, 324, 506, 148 read with Section 149 of IPC was registered. Investigation



proceedings were initiated. During investigation, offence under Section 307 of IPC was also added. The petitioner was arrested on 10.06.2024. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The co-accused Harman Kaur and Sarabjit Kaur have been extended benefit of bail. No specific injury has been attributed to him. There is delay of one day in reporting the matter to the police. His further incarceration would not serve any useful purpose. The injuries on the person of Balwinder Singh were self inflicted and infact the complainant and his brother had assaulted the mother and father of the petitioner. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab, that keeping in view the gravity of allegations levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. Rival contentions of both sides have been considered.

6. As per the allegations, the petitioner by forming membership of an unlawful assembly with the co-accused, had caused injuries to the brother of the complainant. One of such injury was opined to be grievous in nature. The petitioner was allegedly present at the spot along with a *kirpan*, however, neither any specific injury nor any specific role has been attributed to him. He is in custody since 13.06.2024. Challan stands presented. Trial is likely to take considerable time. No useful purpose would be served by keeping him in custody anymore. Keeping in view the nature of subject



offence and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am 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.

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

**[MANISHA BATRA]**  
**JUDGE**

**28<sup>th</sup> March, 2025**

*Parveen Sharma*

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