



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

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**CRM-M-48793-2025 (O&M)  
Decided on : 05.09.2025**

**AMRITPAL SINGH**

. . . Petitioner(s)

Versus

**STATE OF PUNJAB**

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE RAMESH KUMARI**

PRESENT: Mr. Gopal Singh Nahel, Advocate for the petitioner(s).

Mr. Nitesh Sharma, DAG, Punjab.

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**RAMESH KUMARI, J. (Oral)**

1. The instant 2<sup>nd</sup> petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amritpal Singh	99	02.11.2024	110, 331(6), 115(2), 191(2), 192, 351(3), 324(6) of BNS and Sections 126(2), 190 added lateron	Cheema	Sangrur

2. The criminal law was set into motion on the statement of complainant Sukhdev Singh to the effect that on 01.11.2024 at about 11.00 P.M. when he along with his sons Harinder Singh, Dilpreet Singh son of Jagraj Singh and Boota Singh son of Chhota Singh were talking to each other, Sita Singh his neighbourer got opened the door of his house by calling him. In the meantime, Chamkaur Singh, Seera Singh, Makhan Singh and



Kewal Singh forcibly entered into the house of the complainant and dragged his son in the street by holding his arms. Complainant saw in the street light that Shanty Singh and Bunty Singh, armed with motorcycle gears fitted in the wooden log (a self designed deadly weapon), Lovepreet Singh armed with *Dang*, Hardeep Singh armed with Rod, Satnam Singh armed with *Dang*, Amritpal Singh armed with *Khapra* (petitioner herein) and Major Singh armed with *Dang*, encircled his son Harinder Singh. Sita Singh raised exhortation stating to catch hold of son of complainant and not to spare him. In the meanwhile, Shanty Singh gave a blow of gear fitted in wooden log on the head of Harinder Singh which hit on his forehead. Bunty Singh then gave a blow with gear fitted in wooden log on the head of Harinder Singh, which hit on his left ear. Lovepreet Singh gave *Dang* blow on the head of Harinder Singh near his left ear. Hardeep Singh gave Rod blow in the middle of the head of Harinder Singh. Satnam Singh gave *Dang* blow on the backside of head of Harinder Singh. The present petitioner gave blow of *Khapra* on the head of Harinder Singh. Major Singh gave *Dang* blow on the head of Harinder Singh which hit behind his right ear. Harinder Singh son of the complainant started bleeding profusely and fell down. While he was lying on the ground, accused kept on inflicting injuries to him and they also damaged the main gate of house of the complainant. Complainant raised hue and cry where after the accused persons after giving threats to kill them, escaped from the spot along with their respective weapons. On the basis of aforesaid allegations, FIR(supra) was registered.

3. Learned counsel for the petitioner *inter alia* contends that similarly situated co-accused namely Kewal Singh & Makhan Singh, Major



Singh, Chamkaur Singh and Gurmeet Singh alias Shanti were granted the concession of regular bail in CRM-M-11545-2025, CRM-M-21085-2025, CRM-M-25434-2025 & CRM-M-28386-2025 vide orders dated 24.04.2025, 29.04.2025, 15.05.2025 and 28.05.2025, respectively. Moreover, co-accused Karamjeet Singh was granted anticipatory bail in CRM-M-29566-2025 dated 11.07.2025 by this Court. Further prima facie, no offence under Section 110 of BNS is made out as the opinion has been procured from a private hospital by the complainant and further the opinion is also vague as none of the injuries individually or specifically have been declared as dangerous to life and all the injuries collectively have been declared as dangerous to life and none of the injuries are grievous in nature and it would be a moot point to be determined by the learned trial Court as to whether the petitioner can be held liable for the offence under Section 110 of BNS. Further, all the injuries are result of blunt weapons and petitioner is behind the bars since 30.11.2024 and he is not involved in any other case.

4. Learned counsel for the petitioner further submits that there are total 25 prosecution witnesses cited in the list of witnesses, out of which, no PW has been examined till date and the trial is likely to take long time in conclusion.

5. Per contra, learned State counsel has filed custody certificate today in the Court which is taken on record and he opposes the prayer made by learned counsel for the petitioner on the ground that specific injuries have been attributed to the petitioner, however, he could not controvert the fact that the petitioner is confined for the last 09 month 23 days and out of 25 PWs, none has been examined so far.



6. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is behind the bars from the last 09 months and 23 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. Out of 25 prosecution witnesses, no PW has been examined so far.

7. Further the culpability, if any, would be determined at the time of trial and as such, no useful purpose will be served by further detention of the petitioner-accused. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

8. In view the discussion above, the present petition is allowed. Accordingly, without commenting upon the merits of the case, the petitioner namely Amritpal Singh is ordered to be released on regular bail during pendency of the trial, on furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

9. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

**(RAMESH KUMARI)**  
**JUDGE**

**September 05, 2025**

*Deepak Patwal*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*