



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-17254-2025

Reserved on: 23<sup>rd</sup> May, 2025

Pronounced on: 28<sup>th</sup> May, 2025

Dilbagh Singh @ Baga

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Joginder Pal Devgan, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Ankush Rampal, Advocate for the complainant.

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**MANISHA BATRA, J :-**

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. 77 dated 22.11.2024 registered under Sections 109, 118(1), 351(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 115(2) of BNS added later on, at Police Station Harike, District Tarn Taran.

2. As per the allegations, on 22.11.2024, on receipt of an information about sustaining of injuries by one Jugadraj Singh in an altercation having taken place in the village and about his admission in Guru Ram Das Hospital, Vallah, Amritsar, a police party reached there and recorded statement of the injured, who stated that on 21.11.2024, he had come to know that the petitioner along with the co-accused had caused



injuries to his cousin Sultan Singh. On hearing so, he along with his cousin Basant Singh had proceeded towards the house of Sultan Singh to inquire about his well being when they were intercepted by the present petitioner and the co-accused and two un-identified persons. All of them were armed with weapons. They raised a *lalkara* and then opened an attack upon the complainant. Accused Vishavpreet Singh struck a blow near the ear and on the neck of the complainant with knife. The petitioner and co-accused Amandeep Singh and Gurpreet Singh struck blows with *datar* on the head of Basant Singh. Blood started oozing out of the wounds of complainant and Basant Singh and they had fallen down. Thereafter, the assailants fled away while extending threats to kill them. The victims were taken to hospital. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner was arrested on 22.11.2024. He suffered disclosure statement admitting his involvement in the crime and got recovered the weapons of offence i.e. one *datar* and baseball bat used by him. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injury attracting Section 109 BNS is not attributed to him but to co-accused Vishal. He is in custody since 22.11.2024. A compromise has been effected between the parties and the complainant has executed a written compromise saying that he has no objection, if the FIR of this case is quashed. There was misunderstanding between the parties that stands removed. Trial is even otherwise likely to take time to conclude. His further incarceration would not take any useful purpose. With these broad submissions, it is urged that the petition deserves



to be allowed.

4. Status report has been filed. Learned counsel for the complainant has no objection, if the petition is allowed, however, learned Assistant Advocate General, Punjab, has submitted that there are serious allegations against the petitioner, who had caused simple as well as grievous injuries to the victims. He has criminal antecedents as another case under Section 379 of IPC and Section 21 of Mining Act has been registered against him. It is, therefore, argued that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner along with the co-accused is alleged to have caused injuries to the complainant and his companion Ravi. The injury which has been attributed to him, has been declared to be simple. Learned counsel for the petitioner has placed on record Annexure P-3, copy of a compromise stated to be executed by the complainant and other victims as well as the petitioner and co-accused. Though no consideration/relevance, can be given to this document at this stage as its authenticity is yet to be tested, however, the petitioner is in custody since 22.11.2024. Trial has started but will take time. His involvement in another case cannot be considered to be a reason for denying benefit of bail to him. The well settled proposition of law is that bail is the rule and jail is an exception. Taking into consideration the above discussed, facts and circumstances, but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petitioner deserves to be given benefit of bail. Hence, the same is allowed and the petitioner is ordered to be released on

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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> May, 2025**  
*Parveen Sharma*

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