



225

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

CRM-M-58921-2024

Date of Decision: 03.03.2025

Karanvir Singh alias Karan
Walia

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Adarshpreet Singh Dhaliwal, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.0084 dated 05.06.2021 registered under Sections 307, 323, 201, 148, 149, 506 of IPC, at Police Station Division No.7 Ludhiana.

2. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, the petitioner had allegedly caught hold of the complainant and raised a lalkara and had exhorted all the other accused to cause injuries to the injured in the present case. Learned counsel further contends that the injured in the present case has already been discharged from the hospital and is hale and hearty. The petitioner was arrested on 16.08.2021 and is in custody for the last more than 03 years and 06 months. Learned counsel has further relied upon the order dated 28.10.2021 (Annexure P-20 passed by the Court of Additional Sessions Judge, Ludhiana, whereby, similarly



placed co-accused Himanshu Verma has been granted the concession of bail. Similarly placed co-accused, namely, Sarabjot Singh @ Raja Bajaj, Arun Sharma, Vishal alias Vishu Thatha have also been granted the concession of bail by this Court. Learned counsel submits that in the present case, the majority of the witnesses have been examined by the prosecution and the petitioner is not in a position to tamper with the evidence any more.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime and is also facing prosecution in eight cases.

4. In reply to the submission made by learned State counsel, learned counsel for the petitioner submits that the petitioner is on bail in the remaining cases registered against him.

5. I have heard the learned counsel for the parties and perused the record.

6. No doubt, several other criminal cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme



Court in the matter of “***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***” 2012(1) R.C.R. (Criminal) 586. In the present case, co-accused Himanshu Verma, Sarabjot Singh @ Raja Bajaj, Arun Sharma, Vishal alias Vishu Thatha have already been granted the concession of bail and the petitioner is also at par with them. Even no specific injury has been attributed to him and he is not in a position to influence the witnesses of the prosecution.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.



- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.
- (viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

03.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No