

CRM-M-51144-2025 & 1
CRM-M-51384-2025

2025:PHHC:140512



230/2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1) CRM-M-51144-2025
Date of Decision: 09.10.2025

RAHUL @ KAKA SHOOTER
..... Petitioner

Versus

STATE OF PUNJAB
..... Respondent

2) CRM-M-51384-2025

GURWINDER SINGH @ Jaswinder Singh @ Ganu
.....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. S. S. Gill, Advocate, for
Mr. M. S. Khaira, Advocate
for the petitioner(s).

Mr.Prateek Pandit, Advocate
for the complainant (in both the cases)

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. By this common order, above noted bail applications shall be adjudicated as the same have arisen out of the same FIR.

2. This is the first application under Section 483 of BNSS,



2023 for grant of regular bail in case FIR No.48, dated 25.03.2025 registered at Police Station Subhannpur, District Kapurthala, under Sections 115(2), 118(1), 351(2), 351(3), 303(2), 191(3), 190 of BNS (Sections 117(2) and 118(2) of BNS have been added subsequently).

3. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

4. The present case has been registered on the statement of complainant Baljinder Singh with the allegations that he had a minor dispute with Jaswinder Singh @ Gannu. On 19.03.2025, at about 06:50 PM, he was working in his shop along with his employee namely Manav. Some young boys including Jaswinder Singh @ Gannu, Gori Cheema, Rahul @ Kaka Shooter, Jeevan, Vishali and 3-4 unknown persons were present. Jaswinder Singh exhorted that he should be taught a lesson for having a dispute with him. Thereafter, Jeevan armed with a Dattar, Vishali and Gurwinder Singh armed with Kirpan, Rahul armed with Dattar and Gori Cheema armed with Dattar and gave blows with their weapons to him and the other unknown persons gave blow of hatched and cudgels and he suffered numerous injuries at their hands including fracture in the left wrist and he sought action against them.

5. Learned counsel for the petitioners contended that they have been falsely implicated in the present case and it is the opposite party which had assaulted them and a cross-version has also been got registered against the present complainant. Both the parties have suffered injuries. The grievous injury suffered by the victim is on a non-vital part i.e. his left wrist. All the offences are Magisterial trial. Challan has already been



presented in the present case after completion of the investigation. The trial is certainly going to take sufficiently long time to conclude and in these circumstances, further detention of the petitioners is not required and they deserve to be released on bail.

6. On the other hand, learned State Counsel assisted by learned counsel for the complainant, has opposed the bail and argued that the victim was mercilessly beaten who has suffered 14 injuries out of which 9 injuries have been caused with sharp weapons. The victim has suffered fracture in his left wrist and was operated upon for the said injury. The trial is at initial stage. In view of the gravity of the offence, the petitioners do not deserve the concession of bail.

7. All the offences are Magisterial trial and the grievous injury has been suffered on a non-vital part. Both the parties have suffered injuries and as such, a cross-version has been registered and as to who amongst them was the aggressor will be the subject matter of the trial which will take a long time to conclude.

8. Therefore, taking into consideration the facts and circumstances of the present case, I am of the opinion that no useful purpose will be served by keeping the petitioners in custody and resultantly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions. However, in addition to the terms and conditions that may be imposed by the trial Court/Duty Magistrate concerned, petitioners shall remain bound by the following conditions:-



- (i) Petitioners shall not misuse the concession of bail granted to them.
- (ii) Petitioners shall not tamper with any evidence, oral or documentary during the trial.
- (iii) Petitioners shall regularly appear before the trial Court and he will not commit any offence of similar nature while on bail.
- (iv) Petitioner shall deposit his passport, if any, with the trial Court.
- (v) Petitioners shall not in any manner delay the trial.

In case of breach of any of the aforesaid conditions or the conditions that may be imposed by the trial Court or upon any other sufficient cause, the State shall be at liberty to apply for cancellation of bail.

9. Copy of this order be placed on the other connected case files.

10. Pending application(s), if any, also stand(s) disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

09.10.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No