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

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**CRM-M-28173-2025  
Date of decision: 28.07.2025**

**SUKHWINDER SINGH ALIAS HATHORA****...Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present : Mr. M.R. Sharma, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

**SANJAY VASHISTH. J.(Oral)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 (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:-

| <b>Name of Petitioner(s)</b>          | <b>FIR No.</b> | <b>Date</b>       | <b>Section(s)</b>   | <b>Police Station</b> | <b>District</b>  |
|---------------------------------------|----------------|-------------------|---|-----------------------|------------------|
| <b>SUKHWINDER SINGH ALIAS HATHORA</b> | <b>174</b>     | <b>30.06.2020</b> | <b>395 IPC and Section 25 of Arms Act and Sections 397, 398, 412, 171 of IPC added later on</b> | <b>Dinanagar</b>      | <b>Gurdaspur</b> |

2. Learned counsel for the petitioner contends that petitioner was not named in the FIR and similarly situated co-accused Baljit singh alias Natti has



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already been granted the relief of regular bail by the Co-ordinate Bench of this Court, vide order dated 12.11.2020.

Counsel further submits that petitioner has already undergone incarceration of more than 06 months and 22 days inside jail.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 26.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

4. Learned State counsel has vehemently opposed the prayer of grant of bail to the petitioner, keeping in view the nature of allegations and the gravity of offence involved herein. He further submits that if the petitioner is granted concession of bail, there is every likelihood of their being absconding from the trial and can indulge in similar kind of activities.

He submits that initially petitioner was not arrested and now the supplementary challan has been submitted against him. However, he confirms the fact that petitioner has already undergone incarceration period of 06 months and 22 days period inside jail.

5. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

6. As per the totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of



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evidence available on record, as expeditiously as possible, in accordance with law.

9. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**28.07.2025**  
**amandeep**

Whether speaking/reasoned. : Yes/No  
Whether Reportable. : Yes/No