



CRM-M-25029-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 231

Case No. : CRM-M-25029-2025

Decided On : August 12, 2025

Sourab Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. Ankur Bansal, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.16 dated 05.02.2025, under Sections 311, 118(1), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Sadar, District Jalandhar.

Briefly, the case of the prosecution is that the aforesaid FIR was registered on the statement made by one Chetak Kumar that he is a gardener by profession. On 02.02.2025, at about 07:30 PM, when he was coming home with his nephew Raj on bicycle, they were intercepted by three persons on a white Activa. While Raj got off the bicycle and ran away, the complainant was nabbed by two of them. He was asked to hand over whatever he was having with him. Complainant ran towards the fields but was chased and one accused attacked him on his head with a sharp datar in



his hand. In order to save himself, he got injured his right hand. Thereafter, another person hit him on his head with datar but the complainant saved himself by putting his left hand forward, as a result of which his left wrist was also injured. He was also attacked on his left shoulder with reverse side of datar. He started bleeding profusely. The accused persons took away his mobile phone and wallet having Rs.8,000/-. The complainant kept shouting for help and all the three accused persons fled from the spot along with their white Activa. Thereafter, his nephew Raj came there with people of village, arranged a vehicle and got him admitted in the hospital namely CHC Jamsheer, from where he was referred to Civil Hospital, Jalandhar. On the basis of this statement, the FIR in question was registered.

Learned counsel for petitioner has contended that the petitioner is innocent and has been falsely involved in the present case. He is a barber by profession and is running his rented shop in the same locality where the complainant is working as a gardener. In fact, persons residing in that locality were having grudge against the profession of the petitioner and many times requested the petitioner to move somewhere else. Due to this grudge, a false story has been concocted and the complainant/gardener, being a poor employee, has been compelled by his employer to give statement against the petitioner regarding alleged assault. The alleged incident took place on 02.02.2025 but FIR was registered on 05.02.2025 and not only this, name of the petitioner cropped up on 08.02.2025 on the basis of supplementary statement of complainant. No stolen article or money has been recovered from the petitioner. There is nothing on record to show that the petitioner was involved in the snatching in question.

Learned counsel for the petitioner contended that the

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petitioner is a man of clean antecedents and is a victim of grudge by people of his locality. He was arrested on 08.02.2025 and since then he is behind bars. Resultantly, his shop is also closed since long and he has lost his livelihood. He is the only bread earner for his family. He has further urged that trial of the case is likely to take time. Therefore, the petitioner be granted concession of regular bail.

Learned State counsel, on the other hand, has opposed the present bail petition while contending that there are specific allegations against the petitioner of having inflicted injuries to the complainant along with his accomplices and also of snatching mobile phone and cash. No leniency can be shown towards such type of criminals. He prayed that the present petition deserves dismissal.

I have heard the learned counsel for the parties and have also gone through the case file.

The petitioner was not named in the FIR. The injuries suffered by the complainant have been opined to be simple in nature. Moreover, his name, for the first time, cropped up on 08.02.2025 i.e. after six days of the alleged occurrence, which creates doubt in the prosecution version.

As per the Custody Certificate dated 09.08.2025, which has been placed on record, the petitioner has undergone custody of 05 months and 29 days. Challan has already been presented in this case and trial is going on. Conclusion of trial is likely to take a long time. So, no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds

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and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

August 12, 2025*monika***(SUKHVINDER KAUR)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>