



CRM-M-20093-2025

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

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**CRM-M-20093-2025
Decided on :21.07.2025**

Niranjan Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Deepak Kumar Bartia, Advocate for the petitioner.

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.297 dated 10.10.2023, under Sections 307, 323, 342, 506, 148, 149 IPC and Sections 25/27-54-59 of Arms Act (Section 302 IPC was added later on), registered at Police Station Zirakpur, District SAS Nagar, Mohali

2. Learned counsel for the petitioner contends that the occurrence in the present case took place on 10.10.2023 at about 1:00 a.m., when 7-8 unknown persons came to the complainant's shop and caused injuries using knives and sticks, and also fired bullets. Complainant-Chottu Kumar sustained stab wounds in his stomach and forehead. Additionally, Santosh Kumar suffered firearm injuries and later succumbed to his wounds during treatment in the hospital. Several shots were fired when Ajay rushed to rescue Chottu Kumar; during this, one

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unknown assailant fired a bullet from a country-made pistol, hitting Ajay on his left bicep, causing him to fall.

Counsel for the petitioner submits that subsequent to the registration of the FIR, the injured Chottu Kumar disclosed the names of five persons, namely:(i) Gurpreet Singh, (ii) Sahil Mulla, (iii) Ritik @ Sagar, (iv)Vineet @ Ganja, and (v) Gaganveer Singh @ Rajan.

One month later, on 09.11.2023, the eyewitness Ajay added the names of a few more persons, including petitioner-Niranjan Kumar, and Shivam @ Samosa, as additional accused involved in the incident.

Counsel argues that the petitioner has been falsely implicated by Ajay. Had the petitioner actually been present at the time of the incident, his name would have been disclosed in FIR lodged on 10.10.2023 itself. The subsequent inclusion of the petitioner's name after a month, during the recording of Ajay's supplementary statement, suggests that this was motivated by some old rivalry or reasons best known to Ajay.

It is further submitted that the petitioner has been in custody since 09.11.2023, yet nothing substantial has been recovered from his possession. Following the completion of investigation, the final report has been submitted to the Court along with the list of 24 witnesses, and till date, no witness has been examined. Thus, prays for regular bail.

3. On the other hand, learned State Counsel, while opposing the prayer for bail, has produced the custody certificate in Court and submits that nothing has been recovered from the petitioner. However, it



is further submitted that the petitioner is involved in a serious offence and releasing him on bail at this stage may hamper the investigation and pose a risk of tampering with evidence or influencing witnesses. Accordingly, the State Counsel prays for dismissal of the present petition.

4. Having considered the rival submissions and upon perusal of the record, this Court has taken note of the totality of facts and circumstances, including that the petitioner was named only after a period of one month in the supplementary statement of one Ajay (eyewitness), that nothing substantial has been recovered from the petitioner, as jointly informed by the respective counsel and , none of the prosecution witnesses have been examined so far. In view of these facts, trial is likely to take considerable time and petitioner's right to personal liberty cannot be curtailed indefinitely.

5. 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

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



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7. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

8. Petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

21.07.2025

Rashmi

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No