



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

146+229

CRM-M-49408-2025 (O&M)

Date of Decision:15.10.2025

Ashwani Kumar @ Narinder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Karandeep Singh, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY J.(Oral)

CRM-41599-2025

Present application has been filed for placing on record certain documents.

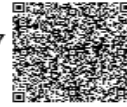
Application is allowed as prayed for subject to all just exceptions.

The accompanying documents are taken on record as Annexure A-1 to A-4.

Main case

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.134 dated 22.09.2021 registered under Sections 302, 323, 325, 506, 148 and 149 of IPC, at Police Station Bahav Wala, Tehsil Abohar, District Fazilka.

2. Learned counsel contends that the petitioner has been in custody for the last about 4 years and 1 month. The allegations against him are having raised a *lalkara* and inflicted blows upon the deceased



along with co-accused namely Sandeep. Charges have been framed on 13.05.2022, however, out of 35 prosecution witnesses, only 03 witnesses including the complainant have been examined. No other case is pending against the petitioner.

3. Custody certificate dated 14.10.2025 alongwith status report filed on behalf of respondent-State, is taken on record. As per the same, the petitioner is behind bars for 04 years and 17 days.

4. The learned State counsel opposes the bail application on the ground that there are specific allegations against the petitioner of having inflicted two blows over the head of the deceased alongwith co-accused. However, he is unable to controvert the submissions with regard to the stage of the trial and the petitioner not being involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 04 years and 17 days; he is not involved in any other case; charges have been framed on 13.05.2022; out of 35 prosecution witnesses, 03 have been examined including the complainant; the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-



- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

15.10.2025

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Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No