



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(218)

CRM-M-14615-2026 (O&M)
Date of Decision:14.07.2026

AJAY SINGH RATHI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Ms. Ekta Sharma, Advocate and
Mr. Pranav Raghu, Advocate
for the petitioner (**through video conferencing**).

Ms. Navreet Kaur, Asstt. AG, Punjab.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is a second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), seeking the concession of regular bail during the pendency of trial in FIR No. 155 dated 27.07.2024, registered under Sections 109, 351(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 307, 506, 148 and 149 IPC), read with Section 25 of the Arms Act, 1959, at Police Station Sadar Khanna, District Ludhiana (Annexure P-2). First petition was dismissed as withdrawn on 23.09.2025 (Annexure P-7).
2. Briefly stated, the prosecution case emanates from the statement of complainant Manveer Singh, who alleged that on 27.07.2024, while he and his friends were returning from A.S. College, Khanna, after



playing volleyball, they stopped near a water tap within the college premises. At that juncture, co-accused Ajay Singh and Jatin Moga @ Trendi allegedly started abusing them, whereupon Jatin Moga took out a pistol and fired indiscriminately with an intention to kill the complainant and his companions. It is further alleged that co-accused Krishan Sahni @ Laddu, also armed with a pistol, reached the spot and likewise opened indiscriminate fire. As a consequence, the complainant sustained a firearm injury on his left arm, while Hussan Lal, a college peon, also suffered multiple gunshot injuries. The assailants allegedly fled from the scene in a Swift car, in which Lovedeep Singh @ Lovepreet Singh @ Lovey and Gurpreet Singh @ Jass @ Bachi were also present. During investigation, co-accused Ajay Kumar was arrested on 27.07.2024, whereas Gurpreet Singh @ Jass @ Bachi and Lovedeep Singh @ Lavi were arrested on 02.08.2024. Pursuant to the disclosure statement of Gurpreet Singh @ Jass @ Bachi, the vehicle allegedly used in the commission of the offence was recovered, and thereafter, on 04.08.2024, the present petitioner was nominated as an accused on the basis of the said disclosure statement.

3. Notice of motion.

4. At the very outset, Ms. Navreet Kaur, learned Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State. Learned State counsel has vehemently opposed the prayer for grant of regular bail and has prayed for dismissal of the present petition.

5. I have heard learned counsel for the parties at considerable length and have carefully perused the paper book, the custody certificate and the material available on record with their able assistance.



6. A perusal of the custody certificate reveals that the petitioner has remained in judicial custody since 27.07.2024, i.e., for a period of approximately two years. Significantly, no specific overt act has been attributed to the petitioner in the prosecution case, nor is any recovery stated to have been effected from his conscious possession. The petitioner came to be implicated during the course of investigation primarily on the basis of the disclosure statement of a co-accused. It is further not in dispute that, despite the considerable lapse of time, the trial has made negligible progress and not a single prosecution witness has been examined. The injured person has already been discharged from the hospital, and the likelihood of the trial concluding in the near future appears remote. The continued incarceration of the petitioner, in such circumstances, would not subserve any meaningful purpose and would be inconsistent with the constitutional mandate of a speedy trial, which forms an integral facet of Article 21 of the Constitution of India. Consequently, no useful purpose would be served by prolonging the petitioner's detention pending trial.

6.1. Accordingly, the present petition is **allowed**, and the petitioner is ordered to be released on regular bail, subject to his furnishing the requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaq Magistrate/Duty Magistrate, as the case may be, and subject further to the following conditions:-

- i. The petitioner(s) shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person



from disclosing such facts before the Court or to the Investigating Agency.

- ii. The petitioner(s) shall not tamper with the prosecution evidence in any manner whatsoever, nor shall the petitioner(s), directly or indirectly, attempt to influence, intimidate, or contact any prosecution witness.
- iii. The petitioner(s) shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event any of the petitioner(s) is in possession of a passport, the particulars thereof shall be furnished before the Investigating Officer as well as the learned Trial Court.
- iv. Before accepting the bail and surety bonds, the learned Illaqa Magistrate/Duty Magistrate/C.J.M. concerned shall obtain from the petitioner(s) the permanent residential address as well as the present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours of the acceptance of the bail bonds and place a verification report on record. In the event any of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
- v. The petitioner(s) shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, the Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for



seeking cancellation of the concession of bail in accordance with law.

- vi. The petitioner(s) shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days of such change.
- vii. The petitioner(s) shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless personal appearance is exempted in accordance with law. The petitioner(s) shall not absent from the proceedings without obtaining prior permission of the learned Trial Court. In the event of violation of any of the aforesaid conditions or unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of bail and issuance of appropriate coercive process, including warrants of arrest.

7. In view of the fact that the principal controversy involved in the present proceedings stands finally adjudicated upon, all pending miscellaneous applications, if any, whether ancillary to, incidental to, or arising out of the instant petition, shall also stand disposed of in terms of the present judgment. Consequently, no separate or further orders are called for in respect of such applications, and the same are accordingly disposed of.

14.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No



Whether reportable?

Yes / No