



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

250

CRM-M-38377-2026 (O&M)
Date of decision : 21.07.2026

Sunny Dhawan @ Gurlia @ Garila

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition filed under Section 483 of BNSS, 2023 seeking the grant of regular bail to the petitioner in case arising out of FIR No. 78 dated 19.05.2025, registered under Sections 193(3), 190, 109 and 115(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act, 1959, at Police Station Civil Lines, District Amritsar. His previous petition was dismissed as withdrawn.

2. As per the allegations, the complainant Sudhir Kumar was celebrating his marriage anniversary on 18.05.2025 along with his friends, namely Vicky, Rohit Kumar and Gaurav Kumar. After purchasing beer from a liquor vend situated near the Railway Station, Amritsar, they started returning home. On the way, they noticed two rival groups engaged in an altercation, with one group chasing the other while firing gunshots. It is alleged that about six to seven unidentified persons, who had arrived in a black Scorpio vehicle and were armed with pistols, suddenly attacked the complainant despite his informing



them that he had no connection with either of the rival groups. The assailants assaulted him with pistol butts, causing him to fall unconscious and thereafter fired a shot at his head. Believing him to be dead, the assailants fled from the spot. The complainant was shifted by his friends to Amandeep Hospital, where he was admitted for treatment. On the basis of his statement, the present FIR was registered and investigation proceedings were initiated. During investigation, the petitioner Sunny Dhawan @ Gurlia @ Garila was nominated as one of the accused.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The earlier petition was withdrawn at a stage when none of the prosecution witnesses had been examined. It is argued that there has now been a material change in circumstances, inasmuch as the complainant (PW-1 Sudhir Kumar) and the other material eye-witnesses, namely PW-2 Vicky and PW-3 Rohit Kumar, have since been examined before the trial Court and all of them have failed to support the prosecution case and have been declared hostile. It is further argued that the investigation stands concluded, the challan has already been presented and the petitioner has remained in custody since 12.09.2025. No recovery is to be effected from him. His further custodial detention is not required. Conclusion of trial is likely to take considerable time. No useful purpose would be served by keeping him in custody anymore. It is, thus, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has advance notice of the petition and is ready to argue the matter, has filed the custody certificate of the petitioner. It is argued by him that the allegations against the petitioner are serious in nature.



He has criminal antecedents and, therefore, does not deserve the concession of regular bail. Hence, it is urged that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. The petitioner has remained in custody since 12.09.2025. The investigation has been completed and the challan has already been presented before the trial Court. It is also not disputed that the complainant and the other material private witnesses, namely PW-1 Sudhir Kumar, PW-2 Vicky and PW-3 Rohit Kumar, have already been examined during trial and have not supported the prosecution version. Consequently, the principal witnesses on whose testimony the prosecution case primarily rests have already been examined. Since the material witnesses have already been examined, the possibility of the petitioner's influencing them does not arise at all. The trial is likely to take some time to conclude. In view thereof, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

21.07.2026

Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No