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

CRM-M-40677-2024

Date of Decision:- 18.11.2024

SHUBHAM KUMAR

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amritpal Singh Gill, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Shubham Kumar has filed instant petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.54 dated 06.05.2023 under Sections 307, 323, 324, 148 & 149 of Indian Penal Code, 1860 (Section 201 and 366 of IPC added later-on) registered at Police Station Cantt. Ferozepur, District Ferozepur.

2. As per facts of the case, FIR has been registered on the statement of Salim alleging that there was marriage of his maternal uncle's daughter and on 03.05.2023 pre-wedding function was fixed. At about 9 pm, he along with his nephew Armaan went to market for hair cut. At about 9.30 pm, suddenly Lalit @ Lali, Manoj, Shubham, Hemant, Lakhan Gawala,



Ravi and Hamir, all armed with kapa and Aman came there and parked their Scorpio No.PB05-AL-1313 on one side and Lalit @ Lali raised lalkara to teach them lesson for messing with them. Aforesaid persons attacked with their respective weapons causing him and his nephew Armaan injuries on their person. Motive behind this occurrence was that Lalit @ Lali and his brother Manoj were demanding *chanda* and on refusal, this occurrence took place.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He was arrested on 16.06.2023 and till date he is behind the bars. No recovery was effected from him. Injury attributed to him is on non-vital part of the body. Other co-accused Hemant, Lalit Kumar @ Lali, Manoj Kumar and Aman Sharma have been granted anticipatory bail by learned Sessions Judge, Ferozepur vide order dated 24.05.2023 (Annexure P-2). Co-accused Lakhan has been granted regular bail by the Court of learned Additional Sessions Judge, Ferozepur vide order dated 22.03.2024 (Annexure P-3). Ravi another co-accused has been granted regular bail by learned Additional Sessions Judge, Ferozepur vide order dated 06.06.2024 (Annexure P-4). Mohit @ Maheer has also been granted regular bail by this Court in CRM-M-58074-2023 vide order dated 18.07.2024 (Annexure P-5). Present petitioner will abide by the terms of bail order. Therefore, his regular bail may be allowed.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed taking the stand that present petitioner is specifically named. He is attributed kapa blow on the fingers of left hand of the injured victim. Challan in this case has been presented



on 16.01.2024 and chargesheet was framed on 22.10.2024. Present petitioner is involved in four other cases. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. As per the facts narrated above, other co-accused have been granted bail by the trial Court as well as by this Court. Trial in this case is at initial stage. After framing of chargesheet statements of witnesses are yet to be recorded. Present petitioner was arrested on 16.06.2023. He cannot be kept behind the bars for indefinite period. So far as other FIRs are concerned, those will be decided as per its own merits. Two of the FIRs are under investigation and in two other FIRs he is already facing trial. Therefore, without going on the merits of the case, regular bail filed by petitioner is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge concerned.

6. Pending application (s), if any, shall stand disposed of.

18.11.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No