



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

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CRM-M-3841-2025

Date of decision: 29th July, 2025

Sonu Bharti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Chandan Singh Rana, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 170 dated 08.11.2023 registered under Sections 307, 326, 323, 341 and 506 of IPC at Police Station Division No.2, District Ludhiana.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Tushar Sonkar, alleging therein that he was running the business of Butcher in the shop taken on rent from Nikku Bharti. The petitioner, who is brother of Nikku Bharti, used to visit his shop several times and used to take away cash amount of Rs. 500-1000/- from the complainant. The complainant told about this fact to Nikku Bharti, who had assured to make the petitioner understand. Thereafter, the petitioner had started extending threats to the complainant to vacate the shop or he would



kill him and Nikku Bharti. He alleged that on 04.11.2023, the petitioner along with co-accused Mukesh and 2-3 unknown persons came to the vicinity of the shop of the complainant at about 6-7 PM. All of them were making some discussions while staring towards the shop of the complainant. Feeling suspicious, the father of the complainant advised him to go to his house. The complainant went to his house. At about 10:00 PM, his assistant Neeraj working in the shop called him and disclosed that the petitioner had closed the shop and taken the keys with him. The complainant apprised about this fact to Nikku Bharti and proceeded towards his shop. On reaching there, he found the petitioner to be present there, who opened an assault upon him with an iron *datar* thereby injuring his left thumb and index finger. He also inflicted injuries on other parts of his body. In the meanwhile, Nikku Bharti had reached there and rushed for his rescue and he too sustained injuries at the hands of the petitioner. Thereafter, he fled while extending threats to them. The injured were rushed to the hospital. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 20.11.2023. Investigation now stands completed and the petitioner is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since long. Trial has commenced but will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Status report has been filed. Learned State counsel assisted by learned counsel for the complainant has argued that there are serious



allegations against the petitioner. He had caused several injuries on the person of the petitioner and his own brother Nikku Bharti. One of the injuries so sustained had opined to be grievous in nature. These injuries were on the vital parts of the body and hence, were dangerous to life. The petitioner is a habitual offender. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that he does not deserve to be given benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have assaulted the complainant and his own brother Nikku Bharti on 17.11.2023. He has been in custody since 20.11.2023. Trial will take time to conclude. He cannot be declined benefit of bail only due to the fact that he is involved in other cases. This Court is of the opinion that no useful purpose would be served by detaining the petitioner in custody anymore. The well settled proposition of law is that bail is the rule and jail is an exception. Keeping in view the period spent by the petitioner in custody and the attendant facts and circumstances, this Court is of the opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and he is ordered to be released on bail subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card



if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*