

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

CRM-M-4431-2025
Reserved on: 10.07.2025
Pronounced on: 31.07.2025

Sahil Bedi @ Nannu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ajeet Pal Singh Pakka, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, D.A.G., Punjab.

Mr. Jaiveer Singh, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
58	21.06.2023	Division No.4, District Ludhiana	307, 148, 149, 506 IPC and 25, 54, 59 of Arms Act (Section 326 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 7 of the status report, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	154	06.11.2023	379-B IPC and 25 of Arms Act	City Dhuri

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“3. That in compliance to the above noted order of this Hon'ble Court, it is humbly submitted that 21.06.2023 complainant-Reetu made a statement the police levelling allegations that her cousin Abhinav Sharma had dispute with one Vinay Bhandari about the affairs with a girl. However, on 21.06.2025 at about 2.00 p.m the complainant's brother Munish alias Mannu had gone to the shop of one

Raju, who is a respectable person to talk about the said dispute but there Vinay Bhandari along with his accomplices Bhola, Ankush, Himanshu, i.e. present petitioner, Gora etc., came on motorcycles complainant's brother Munish alias Mannu with swords. Thereafter Vinay Bhandari fired gunshots with his Pistol with an intention to kill the complainant's brother Munish alias Mannu and bullet struck/hit in one of the abdomen of the complainant's brother. The persons who were armed with swords hit swords directly at the head of the complainant's brother on which panic/chaos arose in the street as a result of which the said persons ran away from the spot while threatening the complainant's brother.

In the MLR of the complainant's brother, the doctor has documented total seven injuries i.e. (i) A lacerated wound over the left parietal region of head. (ii) A bullet entry wound over the right lower abdomen (iii) Lacerated wound over right hand (iv) Lacerated wound over left hand (v) Lacerated wound on left ankle (vi) Lacerated wound on right leg (vii) Lacerated wound on left leg. Injuries on head, right hand and left hand were grievous and bullet injury on abdomen was dangerous to life and the same was caused with firearm. Accordingly FIR No.58 dated 21.06.2023, u/s 307, 148, 149, 506 of IPC and section 25 of Arms Act, P.S. Division No.4, Ludhiana was registered against the present petitioner, Vinay Bhandari, Bhola, Ankush, Himanshu, Gora and unidentified persons."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. It shall be appropriate to refer to following paragraph of status report, which reads as follows:

"ROLE OF THE PETITIONER:

8. That after forming unlawful assembly with his co-accused, the petitioner has committed murderous attack on the complainant's brother and thereby caused grievous and dangerous injuries. Thus considering the gravity of offence and the petitioner being a habitual offender, he is not entitled to the concession of bail."

7. Co-accused of the petitioner have caused massive injuries and it was a stroke of luck that victim survived, however, per FIR and status report petitioner was not attributed any injury, thus the petitioner's case is on better footing than the other accused who had inflicted injuries with weapons like swords and Pistols, etc.

8. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.
9. Per paragraph 3 of the bail petition, the petitioner has been in custody since 23.11.2023. Per the custody certificate dated 09.07.2025, the petitioner's total custody in this FIR is 01 year, 07 months and 14 days.
10. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, role attributed and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.
11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.
12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:
- | | | |
|----|--|--|
| 1. | AADHAR number | |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. | |
| 3. | Mobile number (If available) | |
| 4. | E-Mail id (If available) | |
14. This order is subject to the petitioner's complying with the following terms.
15. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
16. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall not enter the property, workplace, and residence of the victim until the statements of all non-official and informal witnesses in the trial are recorded.

This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (Crl.) 458; and *Aparna Bhatt v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.

17. Given the background of allegations against the petitioner, it becomes paramount to protect the victim, and their family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearm(s). [This restriction is being imposed based on the preponderance of evidence of probability and not of evidence of certainty, i.e., beyond reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

18. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense. In *Mohammed Zubair v. State of NCT of Delhi*, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

19. It is clarified that if the petitioner violates any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioner moves for deletion or dilution of any bail conditions, the trial court is empowered to do so.

20. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

21. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

22. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

23. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

24. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

31.07.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.