



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

220

**CRM-M-7160-2025
Date of decision: 04.08.2025**

AMAR KUMAR ALIAS BHUDA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Nitin Mitto, Advocate with
Mr. Anshul Sharma, Advocate for the petitioner.

Mr. B.P. Singh, AAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Present petition has been filed under Section 439 Cr.P.C., seeking regular bail in case FIR No.176 dated 22.12.2022, under Sections 387, 336, 506, 34 of IPC (Sections 307, 353, 186 IPC were added later on) and Sections 25/27/54/59 of Arms Act, 1959, registered at Police Station Majitha Road, District Police Commissionerate Amritsar (P-1).

2. Learned counsel for the petitioner submits that as per allegations, when the Police admitted to apprehend the co-accused Ajay, he tried to escape by jumping from roof top to another and in the process he suffered fractures in both the legs due to fall. In the same sequence, petitioner-Amar Kumar @ Bhuda is attributed that he fired bullet shot upon Constable Gurjit singh, which caused injury on his left leg. In this regard, petitioner argues that in fact it is the petitioner Amar Kumar @ Bhuda, who suffered injury in his leg because of a firing of the shot upon him by the Police.

He further argues that his co-accused, Ajay, has already been granted



bail by this Court, vide order dated 29.05.2025 passed in CRM-M-40774-2025.

3. Learned counsel further submits that all the material witnesses, including injured Constable Gurjit Singh, have since been examined, and petitioner has undergone incarceration for more than 2 years and 7 months. Moreover, in another case in which he is stated to be involved, he is on bail in that case. Thus, prays for grant of regular bail.

4. While opposing the prayer, learned State counsel submits that petitioner is an active member of the group that attacked the police party. However, he does not dispute that the material witnesses, namely PW1-Gurjit Singh, PW2-DSP Varinder Singh, PW3-Veena Kumar, PW4 Parshotam Lal, PW5-Maninder Sharma, PW6-SI Jaspal Singh, PW7 Jaswant Singh, and PW8-Rinku—have already been examined in compliance with the order dated 24.02.2025 passed by this Court.

5. Taking into account the submissions made by learned counsel for the parties, and considering the facts and circumstances of the case, including the prolonged custody of the petitioner and the fact that all material witnesses have now been examined, this Court finds merit in the petitioner's prayer for bail.

This Court is also of the considered view that the petitioner deserves a fair opportunity for rehabilitation and reintegration into society. Without expressing any opinion on the merits or sufficiency of the prosecution's evidence, and keeping in view the petitioner's continued incarceration for over two years, as well as the fact that material prosecution witnesses have already been examined, this Court is of the opinion that the petitioner's personal liberty ought not to be curtailed indefinitely, particularly when the conclusion of the trial may still take a



considerable period of time.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law

8. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

9. Petition stands disposed of.

04.08.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No