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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-8780-2024 (O&M)  
Date of Decision:- 12.05.2025

ROHIT KUMAR ALIAS NEELA DHOBİ ALIAS RAHUL

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gagandeep Chawla, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG Punjab.

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SANJIV BERRY, J. (ORAL)

1. Mr. Gagandeep Chawla, Advocate has put in appearance on behalf of the petitioner and filed his power of attorney with no objection from the previous counsel. Same is taken on record.
2. The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

| FIR No. | Dated      | Sections                                                                                     | Police Station                                 |
|---------|------------|----------------------------------------------------------------------------------------------|------------------------------------------------|
| 472     | 04.11.2022 | 307, 148, 149 IPC;<br>25 and 27 of the Arms Act;<br>3 of Defacement of Property Act,<br>1985 | City Faridkot,<br>District Faridkot,<br>Punjab |

3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no specific overt act has been attributed to the petitioner and



even as per the prosecution version, the petitioner was empty handed and has not been attributed any injury. He submits that the petitioner is in custody since 28.01.2023 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

4. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition on the ground that the petitioner had actively participated in the commission of crime and had inflicted multiple injuries to the victims with his associates, which were later found to be caused with sharp-edged weapons. He submits that considering the severeness of the offence, the petitioner does not deserve the concession of bail, as such, prays for dismissal of the petition.

5. Heard learned counsel for the parties and perused the record.

6. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 04.11.2022, an information regarding medico legal case was received by police from the hospital. The statement of the injured-Sajan was recorded wherein he stated that he was going on his motorcycle and his friends Binder Singh and Rohit Kumar were going on a separate motorcycle. At about 11:30 AM, when they reached near railway crossing, the accused persons including the petitioner, who were specifically named in the FIR, came on three motorcycles, who were armed with kirpans and kappas. The petitioner and co-accused Sagar were holding pistols and they caught hold of Binder Singh. The petitioner-Rohit @ Neela Dhobi took kappa from his accomplice and gave blow upon

the head of Binder Singh with intent to kill him, while his other accomplices also caused multiple injuries to Binder Singh, Rohit and Sajan Walia with their weapons. On raising alarm, the accused fled away and the injured were shifted to the hospital.

7. As per the MLR, injured Binder Singh sustained 4 injuries out of which injury No.1 and 2 were caused by a sharp-edged weapon. Injured Sajan Walia suffered 14 injuries on his person, out of which 12 injuries were caused with a sharp-edged weapon and injury No.1, 2, 3 and 11 were declared grievous in nature, while injured Rohit was found having three injuries and two out of them were caused with a sharp-edged weapon.

8. The active involvement of the petitioner in the occurrence is also established with the statements of the other material injured witnesses namely Binder Singh and Rohit Kumar. The allegations against the petitioner and co-accused are serious in nature. Therefore, considering the serious nature and gravity of offence involved, the petitioner is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)  
JUDGE

12.05.2025  
S.Sharma(syr)

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|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |