



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

CRM-M-15000-2025

Date of Decision: 25.03.2025

Naresh @ Meshi

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ashok Giri, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 117, dated 07.10.2023, registered under Sections 307,452,323,427,506,148,149 of IPC and Section 25 of Arms Act (Sections 460/115 of IPC and 27 of Arms Act added, while Section 452 deleted vide DDR dated 25.01.2024), Police Station City, Nakodar, District Jalandhar (Annexure P-1).

2. The FIR in the present case was registered on the basis of the statement made by Ram Kumar son of Sheetal Dass and the same has been reproduced below:-

“Statement of Ram Kumar s/o Sheetal Dass R/o Village Maldi, P.S City Nakodar, District Jalandhar, aged about 25 years phone no.62808-66976. Stated that I am resident of above mentioned address. I have a Saloon at Mohalla Gons Nakodar in the name and style of Hair Care Ladies & Gents. I and my brother Harsh work there. On 06.10.2023, I alongwith my brother Harsh

was doing work at Saloon. At about 07:00 PM, Naresh @ Meshi s/o Dalvir @ Nikka r/o Mohalla Bogra having Khanda in hand, Vinay Bhatti s/o Dalvir @ Nikka r/o Mohalla Bogra Nakodar having datar, Gora @ Khushki s/o Jasvir having baseball, Love @ Gulabi s/o Sukhdev Singh having iron rod and Gora s/o Makhan armed with pistol all residents of Mohalla Gurunanakpura Nakodar, P.S City Nakodar District Jalandhar alongwith two unknown persons, entered my Saloon and started vandalizing the articles in the Saloon with their deadly weapons. We objected to it. Vinay @ Bhatti raised lalkara to kill us today and teach a lesson for quarrelling earlier. Gora s/o Makhan fired a gun shot from his pistol on chest of my brother Harsh with an intention to kill, which hit his chest below left shoulder and he fell down on the ground. Gora @ Khushki and Love @ Gulabi caught hold me from my arms, Naresh @ Mishi gave blow of khanda on my head which hit my left shoulder and I fell down on the ground. Gora s/o Makhan, Love @ Gulabi and other unknown persons gave fist blows to us while we were lying down. I raised alarm as killed-killed then abovesaid persons fled away from the spot alongwith their respective weapons. My mother Balbir Kaur with the help of passersby arranged vehicle and got us admitted in Civil Hospital Nakodar. Due to serious condition of my brother Harsh, he was referred to Civil Hospital Jalandhar. On account of excessive bleeding and bad health of my brother, we got him admitted at Orthonova Hospital Jalandhar from Civil Hospital Nakodar where he is under treatment. I couldn't get my MLR in hurry. Grudge behind occurrence is that on 15.08.2023, we had a quarrel with them which was got compromised by respectable persons. Due to this reason, abovesaid Gora fired a gun shot upon my brother Harsh with an intention to kill him and injured him. Injuries have been inflicted to me. I have got my statement recorded to you which has been read over to me and same has been accepted as correct. Legal action be taken against them. Sd/- Ram Kumar Sd/- Sheetal Dass, attested by Ranjit Singh ASI P.S City Nakodar,

3. As per the allegations levelled by the complainant, five accused had trespassed in the shop of the complainant and had caused injuries to the complainant and his brother. Learned counsel for the petitioner further contends that the only attribution to the present petitioner is that he had caused an injury with *Khanda* on the left shoulder of Ram Kumar, complainant, which has been declared to be simple in nature. He further contends that even the matter was earlier compromised between the parties vide the compromise deed (Annexure P-1) dated 04.12.2023. Thereafter, Ram Kumar complainant left for abroad and another compromise was executed with his mother on 03.01.2024 (Annexure P-2). By referring to the orders (Annexures P-3 and P-4) learned counsel submits that co-accused Harsh Singh @ Khushki @ Gora and Love @ Gulbi have been granted the concession of bail by the Trial Court. The petitioner was arrested in the present case on 22.11.2024 and is in custody since then. Even the challan has already been presented against him and further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the injured/complainant namely Ram Kumar has already been discharged from the hospital and is hale and hearty. The petitioner is stated to be in custody for the last about 04 months and the challan has already been presented against him. Moreover, co-accused namely Harsh Singh @

Khushki @ Gora and Love @ Gulbi have already been granted the concession of bail by the Trial Court. Thus, no purpose will be served by keeping the petitioner behind the bars.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

25.03.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No