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

CRM-M-15324-2025

Date of Decision:22.04.2025

Dhruv Bahri

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Bhritu Dutt Sharma, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.148 dated 12.09.2024 registered under Sections 109 and 3(5) of BNS, 2023 read with Sections 25 and 27 of Arms Act, 1959 (offence under Section 125 of BNS has been added later on), at Police Station Basti Bawa Khel, Jalandhar.

2. Learned counsel for the petitioner contends that it has been falsely alleged that the petitioner and his co-accused had fired at the police party in the instant case. In fact, none of the police man had suffered any injury, whereas, the present petitioner had suffered two gun shot injuries in the present case. Learned counsel further contends that even the police had planted the recovery of one pistol .32 bore and one live cartridge on the petitioner, just to ensure his false implication in the present case. As per him, even an earlier occasion, the

petitioner has been falsely implicated by Jalandhar Police in three different FIRs in quick succession on 12.09.2024 itself. As per him, charge was ordered to be framed against him on 27.03.2025 and the prosecution has placed reliance on 21 witnesses, however, no witness has been examined by the prosecution so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and does not deserve the concession of bail by this Court.

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

5. It is an admitted fact that none of the police man had suffered any injury, whereas, the petitioner had suffered two bullet injuries in the present case. The petitioner is stated to be in custody for the last more than 07 months and the prosecution has not been able to examine even a single witness so far. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, 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 involves 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.
- (viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an appropriate application in this regard.

(N.S.SHEKHAWAT)
JUDGE

22.04.2025
hemlata

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