



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

CRM-M-15143-2025

Reserved on: 9th September, 2025

Pronounced on: 18th September, 2025

Ghanshyam Vishvkarma @ Ghansham Vishavkarma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. A.P.S. Rehan, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 17 dated 11.02.2024 registered under Sections 386, 307, 506 and 120-B of IPC and Sections 25(6) and 27 of Arms Act, 1959 at Police Station Mahilpur, District Hoshiarpur.

2. The aforementioned FIR was initially registered against unknown persons on the basis of statement recorded by the complainant Harjot Singh alleging that in the morning of 11.02.2024, he was present in his shop when three youths with covered heads and faces came outside the same on a motor bike. They started firing shots with some firearms at the flax board of the shop, handed over a slip to his assistant Ravi Kumar and



then while firing shots towards him with an intention to kill, they fled. The slip contained a writing “Kaushal Choudhary Group 5 Crore W.No +393533401161”. After registration of FIR, investigation proceedings were initiated.

3. As further alleged, the motor bike used at the time of occurrence was recovered during the course of investigation. The co-accused Davinder Pal and Rohit Kumar were arrested. It was revealed that Kaushal Choudhary and Sourav Choudhary had formed a gang for extortion of money and the members of the same used to extort money by extending threats to rich people and by overawing them and the members of their gang had fired shots outside the shop of the complainant with the same intention. The above named persons were however, discharged. Then accused Manisha was arrested, on whose disclosure, accused Banwari was arrested. The accused Banwari too suffered disclosure statement to the effect that he belongs to a poor family and needed money. He had discussed about this fact with the petitioner who had assured to provide some good earning job to him. He disclosed that on 05/06.01.2024, the petitioner had called him and offered him to join the gang of Kaushal Choudhary/Sourav Choudhary and to fire shots at some shop in Punjab and to demand extortion money. He disclosed that the petitioner had offered a sum of Rs. 2,00,000/- to him and on the asking of the petitioner, he along with the co-accused Pardeep Kumar @ Bantu, Kuldeep Singh and Gurdeep Singh had done *reiki* of the complainant while remaining in contact with the petitioner and that on the fateful day, he along with the co-accused Pardeep Kumar and Kuldeep had reached outside the shop of the complainant, had fired shots indiscriminately



on flax board and gave chit to the assistant of the complainant and fled away. On the basis of this disclosure the petitioner was nominated as an accused and was arrested on 16.04.2024.

4. As per the further allegations, on interrogation, the petitioner suffered disclosure statement to the effect that Pawan Kumar @ Sonu was the master mind of the crime. The other accused have also been arrested. Investigation stands completed and challan has been presented.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No test identification parade of the petitioner has been got done from the complainant. Trial will take considerable time to conclude. His further incarceration will not serve any useful purpose. He does not have any criminal antecedents. He has been in custody since 16.04.2024. With these broad submissions, it is urged that the petition deserves to be allowed.

6. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations, the petitioner does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

7. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

8. The petitioner along with the co-accused is alleged to be a member of the gang known as Kaushal Choudhary and Sourav Choudhary gang, indulged in extorting ransom money by extending threats to businessman and rich people. In pursuance of conspiracy hatched with the co-accused, he is alleged to have sent the co-accused Kuldeep Singh,



Banwari Lal and Pardeep to the shop of the complainant to commit the subject offence. He has been in custody since 16.04.2024. No recovery has been effected from him. He was not named in the FIR. He does not have any criminal antecedents. The trial will take considerable time to conclude, since even charges have not been framed so far. It is well settled proposition of law that bail is the rule and jail is an exception. Taking all the above discussed facts into consideration, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

18th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*