

2025:PHHC:100321



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

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(1). **CRM-M-17630-2025**
Date of Decision: 05.08.2025

Sadiq @ Sadik ...Petitioner
Versus
State of Punjab ...Respondent
and

(2). **CRM-M-14248-2025**

Rajesh Kumar @ Rinku ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kanwaljeet Singh, Advocate
for the petitioner CRM-M-17630-2025

Mr. Aayush Gupta, Advocate
for the petitioner in CRM-M-14248-2025.

Ms. Simran Gorla, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.
2. Petitioners have approached this Court by way of present petitions praying for granting regular bail in case FIR No.113 dated 14.09.2024 under Sections 115(2)/118(1) of BNS, 2023 (Sections 109/61/238 of BNS were added later on) registered at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana (Annexure P-1).
3. Succinctly, facts of the case are that FIR was registered on the

statement of the complainant namely Navtej Singh. It was alleged that when he was returning to his home on his Aactiva, then two unknown persons started following him. One of them was carrying an iron *daat*. He started attacking him from behind with intent to kill. After causing injuries to him those unknown men escaped. He was medico legally examined in the hospital. It was suspected that his son-in-law Kamalpreet Singh, his father Baldev Singh and his brother Lovepreet Singh were involved in the attack. Request was made to take legal action. On registration of the FIR investigation commenced. During the investigation, complicity of the petitioners surfaced and they were arrested as accused on 17.09.2024. They approached the Court of learned Additional Sessions Judge, Ludhiana, praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail applications filed by the petitioners Sadik and Rajesh vide orders dated 19.11.2024 and 24.12.2024, respectively. Thereafter, petitioner Sadiq @ Sadik approached this Court by way of filing CRM-M-4965-2025, which was dismissed as not pressed vide order dated 03.02.2025. Hence, the petitioners have approached this Court praying for grant of bail by way of filing the present first and second petitions, respectively.

4. It has been contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously roped in the present case. It is submitted that the petitioners were not named in the FIR and however, during investigation with due deliberations they were arrayed as accused in the present case. It is submitted that the complainant-injured suffered three injuries and all these injuries were alleged to have been caused by Sadiq @ Sadik (petitioner in CRM-M-17630-2025). However, as per report of the MLR, injuries have been found simple in nature. So far as Rajesh (petitioner in CRM-M-14248-2025) is concerned, he has not been attributed any injury. He submits

that the petitioners are behind bars since the date of their arrest. Challan has been presented. However, charges are yet to be framed. Thus, it is submitted that in view of the facts and circumstances of the case, the petitioners deserve to be granted bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. She submits that the petitioners had given beating to the complainant. She further submits that during the investigation, complicity of the petitioners surfaced and the petitioners were identified by the complainant-injured. It is submitted that petitioner Sadik was duly armed with iron *daat* and has caused injuries to the complainant and petitioner Rajesh has also played an active role. On instructions, she submits that challan has been presented. Charges are yet to be framed. The custody certificates would reflect that both the petitioners have suffered incarceration of about 10 months and 16 days.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioners are behind bars since 17.09.2024 in the present case. The petitioners were not named in the FIR, however, named in the supplementary statement of the complainant. Petitioner Rajesh has not been attributed any injury whereas injury as alleged against the petitioner Sadik, were found simple in nature. Challan has been presented and charges are yet to be framed. Custody certificate would show that the petitioners have suffered incarceration of 10 months and 16 days as on 04.08.2025. They are involved in other separate cases, however, petitioner Sadiq has been acquitted in one of the cases.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting

anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

8. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10. A photocopy of this order be placed on the files of another connected case.

05.08.2025
Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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