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

CRM-M-17315-2025 (O&M)

Date of decision : 04.04.2025

Kawaljit Singh @ Lodha @ Kamalpreet

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Gurpreet Kaur, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of bail pending trial to the petitioner in FIR No.100 dated 02.12.2023, under Sections 304, 506 and 148 read with Section 149 of Indian Penal Code, 1860, registered at Police Station Ramdass, District Amritsar Rural.

2. Allegations are that petitioner along with co-accused and 3-4 unknown persons formed an unlawful assembly and in prosecution of their common object, inflicted injuries on the person of complainant party with their respective weapons and also criminally intimidated them with dire consequences.

3. Contends that petitioner is in custody since 20.04.2024; after completion of investigation supplementary report under Section



173 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') was presented on 30.09.2024; and charges were framed on 16.10.2024, but out of total 10 prosecution witnesses, only four have been examined till date and three of them are not supporting the charges levelled against the petitioner. Further contends that co-accused namely, Inder @ Babla has already been granted concession of bail pending trial by Co-ordinate Bench vide order dated 06.02.2025 passed in CRM-M-31387-2024.

4. Learned State counsel, on instructions, duly acknowledged the above factual position, but she opposed the prayer on the ground that allegations are very serious in nature.

5. Heard both sides and perused the paper-book.

6. It transpires that petitioner is in custody since 20.04.2024; after investigation supplementary report was presented on 30.09.2024; and charges were framed on 16.10.2024, but out of total 10 prosecution witnesses, only four have been examined till date and three are not supporting the charges levelled against the petitioner. Still further, co-accused namely, Inder @ Babla has already been granted concession of bail pending trial by Co-ordinate Bench vide order dated 06.02.2025 passed in CRM-M-31387-2024. Moreover, it is not the objection of State that in case, petitioner is released on bail, he shall influence the witnesses and/or hamper the course of trial, in any manner; thus, his further incarceration would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of



learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

04.04.2025
d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No