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

CRM-M-25898-2025

Date of decision : 10.11.2025

Karan**.....Petitioner****versus****State of UT Chandigarh****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Paras Jagga, Advocate
for the petitioner.

Mr. Manish Bansal, PP, UT Chandigarh assisted by
Inspector Ashwani Kumar.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to his in case FIR No.0134 dated 26.12.2024, under Sections 109 and 3(5) of BNS, 2023, registered at Police Station East Sector-26, UT Chandigarh.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant/injured Tarun. It was alleged that on 26.12.2024 at about 12:05 AM, he along with his maternal uncle's son were present in front of the public toilet at Sector-26, Chandigarh. In the meantime, 4-5 boys came towards him from the Madhya Marg side who were armed with sharp edge knife. He knew three boys out of them namely, Sameer, Makhan and Kala. Makhan caught hold of him whereas, Kala gave a knife blow on his back and the other boys who were armed with helmet gave helmet blow on the face of his maternal uncle due to which, he fell down. On raising an alarm, all the boys escaped from the place of occurrence along with their respective weapons. Request was made to take legal action against the accused. On registration of the FIR, investigation commenced. During



investigation, complicity of the petitioner was surfaced and thus, he was arrested on 30.12.2024. On completion of the investigation, challan was presented and on framing of charges, trial commenced. Petitioner approached the Court of learned Additional Sessions Judge, Chandigarh praying for grant of regular bail. However, after hearing counsel for both the sides, the same was declined vide order dated 16.04.2025. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition praying for grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that petitioner was neither named in the FIR nor any specific role has been attributed to him. He submits that during investigation, petitioner has been arrayed as an accused in a premeditated manner. To buttress his arguments, he has submitted that the complainant namely Tarun and injured Raj (cousin brother of complainant) both have been examined before the trial Court as PW-3 and PW-4 respectively and both of them have not supported the case of the prosecution. He thus, submits that once the material witnesses have not supported the case of the prosecution, false implication of the petitioner is writ large. He thus, submits that petitioner has no criminal antecedents and thus, in the facts and circumstances of the case, he deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that petitioner was very much present at the time of occurrence. He further submits that petitioner was not only armed with a sharp edge weapon but a screw driver which has been recovered from him. He submits that the ocular version is duly corroborated as the injuries are also medically corroborated. He submits that though PW-3

and PW-4 have been declared hostile however, their complete testimony cannot be ignored. He has placed on record the custody certificate of the petitioner. He, on instructions, submits that out of 21 prosecution witnesses, 06 witnesses have been examined till date. He thus, submits that petitioner does not deserve to be granted the concession of regular bail.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case has taken place on 26.12.2024. The complainant and injured both have been examined as PW-3 and PW-4 and they have not supported the case of the prosecution. Custody certificate filed by the State shows that petitioner has undergone the actual sentence of 10 months and 11 days as on 09.11.2025. It further reflects that there is no other case pending against the petitioner. Material witnesses stand examined.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10.11.2025
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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