



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

**CRM-M-25935-2025**

**Date of Decision:18.07.2025**

Kartik Bhatti @ Kartik Ghorda

...Petitioner

vs.

State of Punjab

...Respondent

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

**Present :**    Mr. Vaibhav Narang, Advocate  
                  for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1.                The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.122 dated 06.05.2020 registered under Section 379-B(2) IPC (Sections 341, 397, 326, 148 and 149 IPC added later on) and Sections 25, 27-A of Arms Act (added later on) at Police Station Division-B, District Police Commissionerate, Amritsar.
2.                The FIR in the present case was registered on the basis of the statement made by Ajit Singh and the same has been reproduced below:-

*“Stated that I am resident of the above-said address and work as a goldsmith. We are three brothers, the eldest is Gurdeep Singh, the younger to him is Pradeep Singh and I am the youngest one. My elder brother Pradeep Singh resides at Kot Atma Ram. On dated 5-5-2020 time was about 10.40 PM night, I got a call from the son of my paternal aunt namely Vikramjit Singh, who informed me that someone has shot your brother Pradeep Singh who came outside Sultanwind Road Mohan Nagar opposite turn Kot Karnail Singh was fallen outside ICICI Bank, reach there. Upon which I immediately reached there from my home where my*

*brother Pradeep Singh was fallen and the bullet was hit in the calf muscle of his right leg, who told me that he was returning from the house of acquaintance, Raja from Tej Nagar to his house, when he reached outside ICICI Bank Kot Karnail Singh, three unknown young-men riding on splendor motorcycle stopped in the front of his Activa colour white and one of them was carrying a pistol, who after getting down from the motorcycle asked me to hand over everything and one suddenly took out Rs.2000/- out of my pocket and snatched Mobile phone make Samsung C-7 Pro, containing Sim No.9988819944 and another fired the bullet from the pistol which he was carrying in his hand at the calf muscle of my right leg with his hand held pistol, upon which he fell down and the accused went towards Village Sultanwind with his Mobile phone and Rs.2000/- cash who is admitted at Amandeep Hospital after arranging conveyance, where my brother is under treatment. Three unknown person while firing at my brother Pradeep Singh and snatching Rs.2000/- and mobile phone from him have done grave injustice. Legal action be taken against them. Statement is recorded. Sd/- Ajit Singh.”*

3. Learned counsel for the petitioner contends that the FIR was initially registered against unknown persons and no physical description of any of accused was mentioned in the FIR. He further contend that as per the initial version of the complainant, only three persons were involved in the occurrence, whereas later on 07 persons were implicated by the police. Learned counsel further contends that even the allegations of firing were levelled against Simranjit Singh @ Kaka and the petitioner was only shown to be present at the place of occurrence. By referring to the orders (Annexures P-2 and P-3), learned counsel submits that Akash Arora @ Bhanu, Aman Malik @ Nakul and Rajan alias Raja, co-accused have been granted the concession of bail by this

Court. He further contends that even though, 06 more FIRs were ordered to be registered against the petitioner, but the petitioner is on bail in the remaining cases. Learned counsel further submits that the petitioner is stated to be in custody for the last 03 years and 11 months and only 09 witnesses, out of total 48 witnesses, have been examined so far and the trial may not conclude in near future.

4. 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 hardened criminal and one accused, namely, Rajan alias Raja has absconded after grant of concession of bail to him.

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

6. In the present case, the petitioner is in custody for the last about 03 years and 11 months. However, the prosecution has been able to examine only 09 witnesses, out of total 48 witnesses so far. Further, other similarly placed co-accused, namely, Akash Arora @ Bhanu, Aman Malik @ Nakul and Rajan alias Raja have been granted the concession of bail by this Court, vide orders Annexures P-2 and P-3, who are at par with the petitioner.

7. 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**

**18.07.2025**  
hemlata

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