



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

CRM-M-26140-2025

Date of Decision:19.05.2025

Karan @ Defaulter @ Karan Pathak

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Raghav Soni, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No.144, dated 11.12.2023, registered under Sections 324,34 of IPC and under Section 326 of IPC (added later on), Police Station Division D, Amritsar (Annexure P-1).
2. The FIR in the present case was registered on the basis of the statement made by Lovepreet Singh son of Iqbal Singh and the same has been reproduced below:-

“Statement of Lovepreet Singh son of Iqbal Singh, resident of house no. 2203, street no. 03, Near Satti Matti School Gujarpura, Amritsar aged around 40 years, mobile no. 6283983470 made a statement, I am resident of above said address and I do work of Carpenter, on 02.12.2023 at around 8.00 in the night my son Gursahil Singh his friend Kabir son of Brij Mohan resident of street Devi Wali Jaura Pipal Amritsar and Manak alias Shaunki, resident of Chowk Atta Mandi, Amritsar on the

motorcycle of Kabir were going to buy clothes at Shakti Nagar Market. When they reached at Pullan Wala Chowk near Kanhiya Sweet Shop then from the opposite side one motorcycle on which four boys are riding who hit the motorcycle in the motorcycle on which my son and his friend are there from the front side then these boys came down of motorcycle and Karan alias defaulter resident of Teliyan Wali Gali Namak Mandi Amritsar gave a Knife blow to my son Gursahil Singh on the left side of his head. Then Satyam resident of Jattan Wala Bazar and one unidentified boy caught hold of my son by Arms and Laksh alias Kalu son of Neelu resident of Gujjarpura near police chowki gave a Knife blow on my son. One blow hit on the left side of head and second blow hit on the neck and then Karan defaulter gave Knife blow on my son one blow given on left rib area and another blow given on shoulder. In order to save him, his friend Kabir came in front then Laksh and unidentified boy held Kabir from his arms and Satyam gave kirch blow on Kabir which hit on the left side of head and he gave two blows on left side of head, then Karan Defaulter gave knife blow on Kabir which hit on his left side of stomach and then both of them were in blood and fell down on the ground. Then while they fell down Laksh, Karan, Satyam and their friend undefined boy gave foot blow. We raised raula Killed us Killed us then people started gathering and then accused persons along with their weapons ran from the spot on their motorcycle. In this regard my son told me on phone I and my elder brother Sahib Singh came at the spot and arrange for vehicle and went to police station D Division and after taking docket from there went to civil hospital Amritsar and got them admitted. Today I was coming to you for taking action against the above said persons legal action may be taken. I have heard the statement, it is correct. Lovepreet Singh signed in Punjabi attested by Gurmeet Singh ASI Police Station D Division Amritsar....”.

3.. Learned counsel for the petitioner contends that the complainant in

the present case was not present at the spot and has lodged the present F.I.R only on the basis of some hearsay evidence. He further contends that even the occurrence had taken place on 02.12.2023, but the F.I.R was registered on 11.12.2023, after a delay of 10 days, which raises suspicion about the genuineness of the prosecution case. Learned counsel for the petitioner further contends that the petitioner was arrested in the present case on 09.12.2024 and is in custody for the last about 05 months. Even, the injured in the present case has already been discharged from the hospital.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case has also been registered against the petitioner in the past and he does not deserve the concession of bail by this Court.

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

6. The petitioner was arrested in the present case on 09.12.2024 and is in custody for the last about 05 months. Even, challan has already been presented against him and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

19.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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