



CRM-M-31597-2025

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(221)

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

CRM-M-31597-2025

Date of Decision: 18.08.2025

**ABHAY ADIYA ALIAS MATHI**

... Petitioner

**Versus****STATE OF PUNJAB**

...Respondent

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Viren Sibal, Advocate with  
Mr. Shayon Sen, Advocate  
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

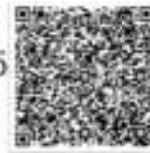
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**JASJIT SINGH BEDI, J.**

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.88 dated 08.07.2024 (Annexure P-1) registered under Sections 109, 3(5), 61(2) of BNS, 2023 and Sections 25/27 of Arms Act at Police Station Dugri, Ludhiana.

2. The present FIR came to be registered at the instance of Lal Chand alias Gopi S/o Bara Singh and the same reads as under:-

*“Statement of Lal Chand alias Gopi son of Bara Singh resident of House No. 921, Street No. 24, Phase-3, Near Pardesi Motor, Shaheed Karnail Singh Nagar, Ludhiana. Age about 26 years Mobile No. 98141-88473 stated that I am a resident of the above mentioned address and I work as a gym trainer at Elite Fitness Pakhowal Road Ludhiana. On dated 07.07.2024 was Sunday due to which I had a day off from my gym hence I do all my personal work only on days off. It must have been around 10:00 PM., I had*



*my food and walked my dog outside and returned home. It must have been around 11:48 PM. I was walking in the veranda of my house when three unknown persons were riding a black motorcycle outside my house. Their faces were covered with blue cloth. The boy sitting behind them was holding a pistol in his right hand and was making a video on his mobile phone with his left hand. Suddenly, they stopped outside my house and seeing me walking in the veranda, they fired three shots at me with the intention of killing me. The shots hit the gate of my house. After which I climbed onto the roof of my house and saw that all the three persons had left from there. After which I informed the police and started watching the CCTV footage installed in my house. Even today I have the said CCTV footage which I can present to you if required. I am absolutely sure that the attack was carried out by Sagar Newton son of Jassa, resident of LIG Flat Phase-3, Dugri Ludhiana, along with his associates. The reason is that on the intervening night of 06/07.04.2024, Sagar Newton and his other associates attacked my family together. After which we have registered a FIR No. 35 dated 07.04.2024 under Sections 307, 324, 452, 427, 148, 149 IPC at Dugri Ludhiana police station. Sagar Newton has also threatened to kill me and my family by going live on his Instagram account. Today, I was going to the police station to consult my family and inform them, when you met me on the way. I am absolutely certain that Sagar Newton son of Jassa R/o LIG Flat Phase-3, Dugri Ludhiana and his three unknown associates have fired three shots at me with the intention of killing me before I leave. Appropriate legal action should be taken against them. I have written my statement to you today. I have heard that it is correct. SD/- Lal chand.”*

3. The learned counsel for the petitioner contends that the petitioner has been nominated during the course of investigation on the basis of the disclosure statement of a co-accused and a supplementary statement of

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the complainant. Even as per the said statements, he is stated to be accompanying the main accused. As the petitioner is in custody since 10.03.2025 but none of the 15 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner is entitled to the grant of bail *moreso* as co-accused namely Mahi Gill has been granted the concession of bail vide order dated 29.11.2024 (Annexure P-3).

4. On the other hand, the learned counsel for the State contends that though the petitioner is not named in the FIR, he was nominated as an accused on the basis of the disclosure statement of the arrested accused and the supplementary statement of the complainant. He is also seen in the CCTV footage but no injury has been attributed to him. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 10.03.2025 but none of the 15 prosecution witnesses have been examined so far and that a co-accused Mahi Gill has been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The culpability of the petitioner with the aid of Section 34/120-B IPC shall be examined during the course of the Trial. Admittedly, the petitioner is in custody since 10.03.2025 but none of the 15 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

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7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Abhay Adiya @ Mathi S/o Satish Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the appellant or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**18.08.2025**

JITESH

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