



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-42058-2024

Reserved on: 16th May, 2025

Pronounced on: 20th May, 2025

Vicky Thapar @ Manish Thapar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amrit Paul Nahar, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 152 dated 21.09.2023 registered under Section 307 of IPC and Section 25 of Arms Act, 1959 (Section 482 of IPC and Section 27 of Arms Act added later on) at Police Station Sadar, District Hoshiarpur.

2. Adumbrated facts as emanating from the record are that on 21.09.2023, on receipt of a secret information that the petitioner, who was wanted in two cases of snatching, etc., was wandering in the area in an i20 car which was having a fake number plate bearing number PB02-BJ-0002 and that too had been snatched and that he could be apprehended. Believing the secret information, a *Nakabandi* was formed. The car of aforementioned



number was found in the area of Mohalla Dashmesh Nagar. The police officials had started following the car, and on noticing the same, the driver thereof tried to sped away and took the car towards village Hardokhanpur. Then, by opening the side window of the car, the driver fired two gunshots in the air and then spat through some other place. The police officials intercepted the said car at the end of the causeway and found that the same was driven by the petitioner, who fired another gunshot towards SI Navjot Singh, who was a member of the police party, with an intent to kill him. However, he somehow managed to escape. Then, two gunshots were fired by constable Naveen Kumar, and one of the bullets hit the petitioner, due to which, he sustained injuries and was apprehended. He was taken to hospital. On conducting search, one pistol .30 bore along with one live cartridge and one cartridge in the chamber, one 315 bore country made pistol and five live cartridges were recovered. The actual registration number of the car was also found to be PB07-BJ-8648, which was snatched one and the same was taken into possession. The petitioner was formally arrested on 29.09.2023. Investigation stands concluded and the petitioner is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of no injury. He is in custody since 29.09.2023. The trial is likely to take considerable time. Out of the 7 cases registered against him, he has been acquitted in 3 cases. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. With these broad submissions, it is urged that he deserves to be extended benefit of bail.



4. Status report has been filed. Learned Assistant Advocate General, Punjab, has argued that there are serious and specific allegations levelled against the petitioner. He has criminal antecedents. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have made an attempt to kill police officials while they were trying to apprehend him. He is also alleged to have used a false property mark i.e. number plate on a snatched vehicle and is further alleged to be found in possession of illegal items. He is in custody since 29.09.2023. The trial will take time to conclude. Only because of the reason that other FIRs have been registered against him, he cannot be denied benefit of bail. Keeping in view the period of incarceration of the petitioner, the nature of allegations as levelled against him, the period of sentence which the conviction may entail and the attendant facts and circumstances of the case, but without meaning to make any discussion about the merits of the case, lest the same prejudice the trial, this court is of the opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed, and the petitioner is ordered to be released on bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall appear before the concerned Police Station once on the first Monday of every month to mark his presence during trial. He shall disclose his present as well as permanent address before the learned



trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th May, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No