



CRM-M-43325-2025 and other connected cases 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235 CRM-M-43325-2025

Khushal @ Ballu . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

235-2 CRM-M-42659-2025

Shankar . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

235-3 CRM-M-50519-2025

Prince Sharma . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

Decided on :06.11.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. G.S. Verma, Advocate for the petitioner
(in CRM-M-42659-2025).

Mr. Gagandeep Singh Virk, Advocate for the petitioner.
(in CRM-M-43325-2025).

Mr. S.S. Kalra, Advocate for the petitioner
(in CRM-M-50519-2025).

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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1. By way of this common order, all the aforementioned petitions are being disposed of together, as they arise out of one common FIR.

2. Present petitions have been filed by the petitioners, namely, **Khushal @ Ballu, Shankar and Prince Sharma**, seeking regular bail in case FIR No. 113 dated 26.07.2024, under Sections 105, 3(5) of BNS, registered at Police Station Tibba, District Police Commissionerate Ludhiana.

3. On 18.08.2025, after hearing the arguments in CRM-M-42659-2025 and CRM-M-43325-2025, the Court passed the following order:

“ Present petition has been filed under Section 483 of BNSS before this Hon’ble Court of granting Regular Bail to the petitioner in case FIR No.113 dated 26.07.2024 registered under Sections 105, 3(5) of the BNS 2023, registered at Police Station Tibba, District Police Commissionerate Ludhiana.

Allegation against the petitioners is that on 13.07.2024 at about 7:30 PM, while petitioners and other persons were having party, suddenly health of one of the person namely ‘Kataria’ deteriorated and instead of getting him treated, they conspired and put him on activa in his sick condition and abandoned him near the garbage dump, creating such circumstances that led the death of person namely Kataria.

Admittedly, there is no allegation that the petitioners have caused any injury to the deceased or that the cause of death is directly attributed to any of the petitioners.

Petitioners are stated to be inside jail for a period of

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more than one year. Recording of the evidence of the prosecution is yet to start. Prime charges framed against the petitioner is of causing culpable homicide not amounting to murder i.e. under Section 105 of BNS, 2023. Petitioners are not involved in any other similar case.

At this stage, Court wants to know the cause of death, finally opined by the doctor. However, no one is able to assist on the said issue.

Proceeding is deferred for 02.09.2025.

Learned State counsel is directed to respond on the next date of hearing.

A photocopy of this order be placed on the files of other connected cases.”

4. Learned State counsel has filed status report by way of affidavit of Sumit Sood, PPS, Assistant Commissioner of Police, East, Ludhiana, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

5. I have heard learned counsel for the parties and perused the paper-book, including the status report.

6. As per the status report, in paragraph No. 23, due to the fault of IO/ASI Mahinder Raj, the viscera could not be sent to the FSL earlier. Resultantly, a departmental inquiry has been initiated against the erring official, and the viscera was finally deposited on 01.09.2025 for chemical examination. Since the report is still awaited, and taking into consideration that there is no direct allegation against the aforementioned petitioners of causing any injury to the deceased using any specific weapon, coupled with the fact that the cause of death is still uncertain, and also that the petitioners have been in custody for the period of one

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year, three months, and seven days, this Court does not find any substantial reason to detain the petitioners any longer in custody. Accordingly, Court finds merit in the prayer made by the petitioners for grant of regular bail.

7. Consequently, prayer made in the instant petitions is **allowed**. Petitioners are ordered to released on bail, subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

10. Petitions stand disposed of.

11. A photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

06.11.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*