



CRM-M No.44310 of 2025 (O&M) 1

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

CRM-M No.44310 of 2025 (O&M)

Reserved on: 29.10.2025

Pronounced on: 31.10.2025

Sourav Kumar

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Prabhjot Singh, Advocate for the petitioner.

Mr. Eklavya Darshi, Sr. DAG Punjab.

SURYA PARTAP SINGH, J.:

For the commission of offence punishable under Sections 109, 115(2), 118(1), 126(2), 351(1), 351(3), 191(3) and 190 of BNS, the FIR No.0019 dated 10.02.2025, has been lodged in Police Station Urban Estate, Patiala. The petitioner is apprehending his arrest in the above mentioned case, and therefore, he has invoked the jurisdiction of this Court vested by virtue of Section 482 of BNSS.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being on the basis of statement of Gurpreet Singh, who stated that on 08.02.2025 at around 11:00 PM he along with his brother was going home. According to complainant, his brother was paddling the cart and he was on a motorcycle. As per complaint near street No.19, they were intercepted and encircled by 3-4 young boys who were armed with knife like sharp-edged weapons and they launched an attack upon them and inflicted multiple injuries



on their person. It was also stated by the complainant that in the above mentioned incident, his brother Devinder Singh suffered serious injuries and the assailants were later on joined by 3-4 more persons. In addition to above, the complainant also stated that on inquiry on his own level, he came to know that one of the assailant was Rishav Kumar who was accompanied with 7/8 other persons.

3. On the basis of the above mentioned information, the formal FIR was lodged by the police and the investigation taken up. According to prosecution, during the course of investigation when the accused named in the FIR, namely Rishav Verma, was arrested, he spilled the beans and disclosed the name of other assailants including the petitioner.

4. Heard.

5. It has been contended on behalf of petitioner that the petitioner is innocent, having no nexus, whatsoever, with the commission of crime and that no legally admissible evidence has been collected by the investigating agency against the petitioner. The learned counsel for the petitioner has also contended that otherwise also the name of petitioner does not figure in the FIR and that petitioner has clean antecedents. In addition to above, the learned counsel for the petitioner has also argued that no specific role has been attributed to the petitioner and therefore, any weapon of offence is not to be recovered from the possession of petitioner. While contending that the injured has already been discharged from the hospital and that any injury suffered by the victim has not been declared dangerous to life, the learned counsel for the petitioner has urged for the benefit of bail for the petitioner.



6. *Per contra*, the learned State counsel has argued that the allegations against the petitioner are serious in nature and that the co-accused of the petitioner has voluntarily revealed his identity. While arguing that custodial interrogation of the petitioner is of utmost importance in the present case, the learned State counsel has requested for dismissal of present bail petition.

7. The record has been perused carefully.

8. A careful perusal of the record shows that in the present case there are several factors which are required to be taken into consideration for the decision of instant bail petition. They are:-

- i) that the name of the petitioner does not figure in the FIR;
- ii) that even the name of accused Rishav Kumar was not mentioned by the complainant at the first instance, and later on the basis of some information collected by him, privately, the name of Rishav Kumar was brought into the notice of police authority;
- iii) that no specific role has been attributed to the petitioner;
- iv) that the injured has already been discharged from the hospital;
- v) that other accused in this case has already been enlarged on bail;
- vi) that there is nothing on record to show that any weapon of offence has been used by the petitioner, and therefore, custodial interrogation will not produce any fruitful result and
- vii) that there is nothing on record to show that if released on bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and



9 In view of above discussion it is hereby held that the present petition deserves to be allowed. Hence, the same is hereby accepted, and the petitioner is accorded the benefit of anticipatory bail. It is hereby directed that in the event of his arrest, the petitioner shall be released on bail on furnishing bonds to the satisfaction of Arresting Officer. The petitioner will join the investigation as and when called by the Investigating Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagrik Surakhsa Sanhita, 2023 and shall notify the change in address, if any, to the trial Court.

(SURYA PARTAP SINGH)
JUDGE

31.10.2025
Kapil

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