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

CRM-M-46079-2025

Date of decision : 03.11.2025

Pawan @ Karan

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.148, dated 12.09.2024, under Sections 109/3(5) of BNS, 2023 and Section 125 of BNS added later on and Sections 25/27 of Arms Act, 1959, registered at Police Station Basti Bawa Khel, Jalandhar.
2. Succinctly, the facts of the case are that the FIR in the present case was registered on the statement of ASI Mangat Singh who alleged that on 12.09.2024, he received an information from MHC that a migrant labourer had been robbed by unknown persons riding on a motorcycle at gunpoint near the drain, near Basti Peer Daad. He along with other police officials armed with weapons, ammunition and bulletproof jackets went in search of the snatchers towards Leather Complex. On reaching near Nirankari Bhawan, they noticed two unknown persons with muffled faces standing next to a motorcycle. On seeing the police party, they got perplexed and tried to fled away. Thereafter, Incharge Crime Branch was



immediately informed and the police party chased them. When they reached little ahead of Leather Complex T-point, the boy sitting pillion on said motorcycle fired at the police vehicle which went through its front glass and hit the chest of the complainant, who was saved by his bullet proof jacket. The accused fired again which hit the light of Government Vehicle. Taking the advantage of darkness, accused threw the motorcycle and entered in a vacant plot. Complainant asked them to come out but they fired at the police party which fired back on the accused party. Firing was exchanged and both the accused were apprehended. On asking, they disclosed their name as Pawan (petitioner) and Dhruv Bahri. From them, one pistol of .315 bore, one country made pistol, one live cartridge of .32 bore, three shells of same bore and one live cartridge of .32 bore and motorcycle bearing No.PB-07-AZ-5721 were recovered from the spot. Both the accused were arrested. On registration of the FIR, the investigation commenced. The petitioner approached the Court of Additional Sessions Judge, Jalandhar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jalandhar, declined the bail application filed by the petitioner vide order dated 18.03.2025. Hence, being aggrieved, the petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. It has been submitted by learned counsel for the petitioner that the petitioner and co-accused Dhruv Bahri were arrested on the spot. He submits that the co-accused Dhruv Bahri had already been released on bail by this Court vide order dated 22.04.2025 passed in CRM-M-15324-2025. He further submits that the case of the petitioner is at par with that



of the co-accused. He thus, submits that on the basis of parity with that of co-accused namely, Dhruv Bahri, petitioner deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has placed on record the custody certificate of the petitioner which shows that petitioner has undergone actual sentence of 01 year, 01 month and 17 days as on 02.11.2025. It further reflects that though petitioner is involved in two more cases. He, on instructions, has submitted that out of 21 prosecution witnesses, no witness has been examined till date. He submits that investigation is complete and charges are framed. However, he affirms that co-accused Dhruv Bahri has already been granted regular bail by this Court in CRM-M-15324-2025 vide order dated 22.04.2025.

5. After hearing counsel for the parties and perusing the record, it is deciphered that on registration of the FIR, investigation commenced and petitioner was arrested on 12.09.2024. Co-accused Dhruv Bahri has already been granted regular bail. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 01 year, 01 month and 17 days as on 02.11.2025. It further reflects that petitioner is involved in two more cases, however, he is on bail in one case. As submitted out of 21 prosecution witnesses, none has been examined till date.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of

regular bail on the basis of parity with co-accused, Dhruv Bahri who has already been granted regular bail by this Court in CRM-M-15324-2025 vide order dated 22.04.2025. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

03.11.2025
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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