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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47786-2025
Decided on : 28.11.2025

Mandeep

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nitish Sharma, Advocate and
Mr. Puneet Singla, Advocate,
for the petitioner(s).

Mr. K.D. Sachdeva, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Mandeep, aged about 34 years	47	16.06.2023	323, 324, 341, 427, 506, 148 and 149 IPC (Section 302 IPC added later on)	Nayagaon	S.A.S. Nagar (Mohali)

2. Learned counsel for the petitioner contends that as per the prosecution version and the status report, dated 13.11.2025, filed in the present case, the only role assigned to the petitioner – Mandeep is that he had only encircled and caught hold victim Amit. Moreover, the complainant has not even named the petitioner, at the time of registration of the FIR. In



fact, as per the CCTV footage, the petitioner never participated in the alleged fight, rather he was pacifying the situation. He has been named in the present case for the reason that he is a good friend of co-accused Sehdev. No injury to the victim person(s) has been attributed to the petitioner. The main witnesses, i.e. PW-1 Ritu Kalyan (complainant), PW-2 Babita and PW-3 Shalu (wife of deceased) have turned hostile and have not supported the prosecution version. In this regard, learned counsel for the petitioner has referred to their statements (Annexures P-3 to P-5).

Further submits that any longer incarceration of the petitioner inside jail, would not serve any fruitful purpose of the prosecution. Co-accused Bittan Devi, Manju, Navneet, Sudha and Kamal Raj have already been granted the concession of anticipatory bail by the co-ordinate Bench of this Court, vide order dated 04.03.2024 (Annexure P-7 Colly). Even the co-accused Mahadev and Sehdev, who allegedly caused injuries, have also been granted regular bail by the co-ordinate Bench of this Court, vide order dated 21.05.2025, passed in CRM-M-42978-2024 and CRM-M-12953-2025 (Annexure P-8). The petitioner is inside jail since 14.04.2025. Thus, prays for grant of bail to the petitioner as well.

3. On the other hand, learned State counsel has filed the custody certificate dated 26.11.2025 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4. As per custody certificate, petitioner has undergone total incarceration inside jail for a period of about 07 months and 10 days and is



not found involved in any other criminal activity.

5. During the course of arguments, it has also been clarified that the alleged incident in the present case took place on 15.06.2023 and FIR was got registered on 16.06.2023 at the instance of complainant – Ritu Kalyan. Subsequent to the registration of FIR, one supplementary statement was also got recorded by her on 18.06.2023, wherein, petitioner – Mandeep was also named with the allegation of catching hold to Amit (deceased). However, no specific injury has been attributed to him in the statement.

Besides, statement of the complainant – Ritu Kalyan (PW-1) has also been recorded before the trial Court on 14.02.2025 and in her examination-in-chief, she has deposed nothing about the petitioner. Even his name has not been disclosed by her in the said statement.

6. Deposition of the complainant – Ritu Kalyan (PW-1) in her examination-in-chief, reads as under:-

“(I am well conversant with the English language).

Stated that on 15.06.2023 at about 09/10:00 PM, I, alongwith my mother Babita was present in the house. At that time three unknown person who were having their faces muffled came inside our house and started causing havoc in our house and when I tried to stop them, one of them caused injury on my head with some weapon due to which i became unconscious and fell on the spot. After causing injury to me the above said unknown persons fled from our house. I was taken io hospital by someone. I do not know what happened after the time when I became unconscious I was present in the hospital and I came to know that after 2/3 days my cousin namely Amit Kumar died due to illness. Police came in the hospital and inquired about the incident, Police took my signatures on the blank papers. I identify my signatüres on Ex.P1 at point A. Police also taken signatures of my mother on the same. I identify signatures of my mother at point B. I also identify my signatures on Ex.P1/2 at point A which were also taken by police on blank papers. I have seen accused present in the Court today as well as accused produced through VC. They are not known to me. I have seen them first time in the Court today.

At this stage Addl. PP for the State requested to declare witness hostile as she has suppressed the truth and resiled from her earlier statement suffered before the police and allow to cross examine.

Request considered and allowed.”



7. As already pointed out by the petitioner's counsel, other co-accused, namely; Bittan Devi, Manoj, Navneet, Sudha and Kamalraj had already been granted concession of anticipatory bail by this Court. Even other co-accused, namely; Mahadev and Sehdev have also been released on regular bail. Therefore, looking at the allegations and the statement of complainant – Ritu Kalyan (PW-1) before the trial Court, this Court finds that involvement of the petitioner along with actual role played by him, is yet to be determined before the trial Court.

Thus, petitioner, who is of the age of 34 years, and was never found indulge in any other criminal activity, deserves the concession of bail by taking some moderate view. Accordingly, with the contentions having been noticed here-above and the facts discussed by this Court, I deem it appropriate to grant concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, 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. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

November 28, 2025
J.Ram

Whether speaking/reasoned: ☒ Yes/~~No~~

Whether Reportable: ☒ Yes/~~No~~