



CRM-M-48850-2025

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(230)

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

CRM-M-48850-2025

Date of Decision: 08.09.2025

SUNIL DENIS STEPHEN

... Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDIPresent: Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.264 dated 22.10.2022 (P-1) registered under Sections 302, 307, 506, 148, 149, 120-B IPC at Police Station Jamalpur, Police Commissionerate, Ludhiana, District Ludhiana.

2. The brief facts of the case are that one Shivani daughter of Nanbacha got registered the present FIR with the allegations that her marriage was solemnized on 11.12.2021 with Paras Kumar son of Ramesh Kumar. Her husband used to work for Sandeep Singh son of Darshan Singh. On 10.12.2022 her husband and Sandeep Singh, Neeraj and Nihal had gone to District Court, Ludhiana with regard to a case. Her husband and his friends had an altercation with persons present in the court namely Rajan Pandit, Chotu Javdi and others with regard to some issue. By that time some

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advocates had effected a settlement. However, Rajan Pandit kept a grudge in his heart and in the evening made a phone call through his brother Ajay Pandit to her (complainant's) husband who threatened her husband. This fact was told to her by her husband. Later when her husband was going with his friend Abhishek @ Abhi on an Activa Scooter bearing No.PB10FD 2479 towards Bhammian then Rajan Pandit, Sumit Khanna, Deepu, Sachin Bhateej, Sankit, Sagar (granted bail vide order dated 25.05.2023 passed in CRM-M-25507-2023) and 5/6 unknown persons who were on their respective motor cycles and holding dangerous weapons surrounded her husband and his friend. Then Rajan Pandit attacked her husband on his head with his datar. Sumit Khanna assaulted her husband on his face with a datar. Then Sachin Bhateej attacked her husband on his head with his sword. Then Sankit attacked her husband on his face with an iron rod. Thereafter the unknown persons present at the spot attacked her husband on different parts of his body with iron rods and also gave injuries to her husband's friend. Her husband and his friend raised an alarm on which her husband's friends namely Sandeep Singh, Gurwinder Singh and Karan Narang came to the spot. Karan Narang took her husband to Fortis Hospital where he was declared dead. Her husband's friend Abhishek @ Abhi had received life threatening blows on his head. Her husband had been killed by Ajay Pandit, Vishal Sood, Simran Sood wife of Vishal Sood in connivance with each other along with Rajan Pandit, Sumit Khanna, Sachin Bhateej, Deepu, Sagar and 5/6 unknown persons. Requisite action was sought against the accused.

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3. The learned counsel for the petitioner contends that the case of the petitioner-Sunil Denis Stephen is identical to that of Deepak Bhalla who has been granted the concession of bail vide order dated 20.11.2023 (Annexure P-15). Even otherwise, the complainant Shivani has not supported the prosecution case. As the petitioner is in custody since 03.02.2024 but only 02 of the 22 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that the nature of the allegations levelled against the petitioner do not entitle him to the concession as prayed for. He, however, concedes that the case of the petitioner is similar to that of Deepak Bhalla who has been granted the concession of bail, that the complainant-Shivani has not supported the prosecution case, that the petitioner is in custody since 03.02.2024 and that only 02 of the 22 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, in custody since 27.02.2025 but only 02 of the 22 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded

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anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Sunil Denis Stephen S/o Clarence Stephen is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

08.09.2025

JITESH

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