



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRM-M-52046-2024
Decided on : 01.12.2025

Sunil Kumar . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sumeet Singh Brar, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. 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(s)	FIR No.	Date	Section(s)	Police Station	District
Sunil Kumar	176	11.12.2023	307, 34 of IPC & 25/54/59 of Arms Act, 1959 [S. 392 of IPC added later on]	Focal Point	Ludhiana

2. Learned counsel for the petitioner argues that the petitioner is not named in the FIR and that the FIR was registered at the instance of complainant – Sohan Lal with the allegation that on 10.12.2023 at about 9:50 p.m., while returning after taking water, he noticed three unknown persons armed with weapons, who started demanding money from him. Upon his refusal, a gunshot was fired with an intention to kill him, which hit on his right thigh. Learned counsel submits that the petitioner was implicated subsequently on the basis of the disclosure statement of co-



accused Balwinder Singh, which is not an admissible piece of evidence in law.

3. It is further argued that recovery of country-made pistol along with magazine containing two live cartridges is already the subject matter of another case i.e. FIR No. 268 dated 09.12.2023 under Sections 379-B(2), 34 IPC and Section 25 Arms Act (Sections 307, 411 IPC added later), registered at Police Station Jamalpur, Ludhiana. Learned counsel also submits that co-accused Aryan Singh @ Raja has already been granted regular bail by this Court vide order dated 17.02.2025 in CRM-M-2600-2025 titled as “Aryan Singh @ Raja v. State of Punjab”, copy whereof has been placed on record. Thus, the petitioner also deserves the benefit of regular bail on the ground of parity.

4. On the other hand, learned State counsel has filed custody certificate dated 30.11.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place. A copy thereof has been supplied to learned counsel for the petitioner.

5. Learned State counsel submits that petitioner is involved in a serious offence wherein the allegation is of firing on the complainant with an intention to kill. It is further submitted that out of total 14 prosecution witnesses, only 02 have been examined. As per custody certificate, petitioner is involved in several other cases. Therefore, his antecedents disentitle him to any concession.

In response, learned counsel for the petitioner submits that petitioner is already on bail in all such cases and in one of them, i.e., FIR No. 250 dated 10.12.2023, the sentence period has already been completed



on 13.11.2025.

6. I have heard learned counsel for the parties and have perused the relevant material available on record.

7. On 27.10.2025, while dealing with the prayer for bail, the following order was passed by this Court:—

“ Petitioner-Sunil Kumar has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 176 dated 11.12.2023 registered under Sections 307, 34 IPC and Section 25/54/59 of the Arms Act (Section 392 IPC added later on) at Police Station Focal Point, District Ludhiana.

The instant FIR has been registered at the instance of one Sohan Lal, aged 63 years, who used to work as salesman at a liquor shop. As per FIR, on 10.12.2023 at about 9.50 p.m., after taking meals he had come outside to take water and while coming back inside, he noticed that three unknown persons armed with weapons are also there. They started demanding money and on refusal, shot fired upon the complainant with the intention to kill him. The said fire shot hit on right thigh of the complainant Sohan Lal, and on raising alarm by the complainant ran away from the wine shop alongiwth their weapons.

Learned State counsel submits that the complainant Sohan Lal is yet to be examined and next date fixed for recording of the prosecution evidence is 03.11.2025.

List again on 01.12.2025.

In the meantime, the trial Court is directed to ensure recording of thestatement of the complainant and other material witness(s).”

8. In compliance thereof, report dated 29.11.2025 received from the learned trial Court indicates that complainant Sohan Lal has been examined as PW-2 and one Investigating Officer – ASI Ram Sarup has also been examined.



9. Undoubtedly, gun shot fired by the petitioner, as alleged by the prosecution, has caused injury on the non-vital part of the body of the complainant/injured – Sohan Lal, i.e., on his right thigh. Therefore, during trial it would be a moot question whether offence u/s 307 of IPC has been made out or not, with the intention to cause murder. Besides this, co-accused – Aryan Singh @ Raja has already been granted concession of bail by this Court. Petitioner is inside the jail since 27.12.2023, and out of total 14 prosecution witnesses, only 02 have been examined so far, therefore, he cannot be detained inside jail for indefinite period.

In view of the totality of these circumstances, and the nature of the allegations levelled against the petitioner, this Court deems it appropriate to grant the 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.

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

11. 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.

12. It is further made clear that if, in future, petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek



cancellation of bail in the present case.

13. Petition stands **disposed of**.

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

(SANJAY VASHISTH)
JUDGE

December 01, 2025
J.Ram

Whether speaking/reasoned: √ Yes/~~No~~
Whether Reportable: √ Yes/~~No~~