



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

**CRM-M-53388-2024**

**Date of Decision: 11.02.2025**

Aditya Chauhan

...Petitioner

VS.

State of Punjab

...Respondent

**Coram :** **Hon'ble Mr. Justice N.S.Shekhawat**

**Present :** Mr. R.S Randhawa, Advocate with  
Mr. Anuj Chauhan, Advocate and  
Ms. Shivangi Bhardwaj, Advocate,  
Mr. Narender Kumar Rana, Advocate and  
Ms. Kavita Joshi, Advocate  
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 35, dated 07.04.2024, registered under Section 307,324,452,427,148,149 of IPC, 302 of IPC added later on, Police Station Dugri, District Police Commissionerate, Ludhiana, Punjab (Annexure P-1).

2. The F.I.R in the present case was registered on the basis of the statement made by Amandeep Kaur daughter of Bara Singh and the same has been reproduced below:-

*“Statement of Amandeep Kaur daughter of Bara Singh  
Resident of House no. 9021 Phase no. 3 Shaheed Karnail Singh  
Nagar Street no. 24 Near Pradesi Motor Ludhiana, aged about 24  
years 99141-64536, I am a resident of abovesaid address and I am  
persuing my B.Ed from Guru Ram Das College Halwara. On  
06/07.04.2024 at around 12.30 a.m. midnight, me and brother of*

*my father my uncle Dara Singh, my aunt(chachi) Sarabjeet Kaur and Grand mother Surjeet Kaur were sleeping in the house then heard the sound of motorcycles in the street and in the meanwhile 2/3 boys entered in our house by scaling the wall and opened the main gate from inside. Due to which many boys entered in house who were carrying sword, Beswals and other lethal weapons in their hands. They attacked us with the intention of killing us. Sagar Neutron attacked upon me with the sword carrying in his hand and in order to save myself I raised my hands then he attacked with the sword on my left hand and head which resulted in injury on little finger of my left hand and right arm and on head. Monu Dwarik and Monu Dodhi attacked my mother with sword which resulted in sustained injury to the head, left arm and right arm. Shubham attacked my grandmother Surjit Kaur and caused injuries to left cheek and ribs. Rajeev Kumar, Kuldeep Singh and Amrit who were in the backside room entered in the room of my uncle and attacked him which resulted in injuries on the head and arms of my uncle. Due to screams and cry people gathered in the street but nobody came to us for help. They also caused damage to the fuel tank and seat of motorcycle Splendor PB 10-EY-7623. They were loudly abusing that which Navi helped in the scuffle that took place on 30.03.2024 between Rajeev and Sunny so my brother Navi is not coming to home due to threat from them. Sagar Neutron has already gone to jail several times. All these persons Sagar Neutron, Monu Dodhi, Shubham, Rajeev, Kuldeep Singh, Ankit, Monu Dwarika are goons and used to do fight. They all conniving with each other have attacked us in our house with lethal weapons. Now I and my uncle (chacha) Dara Singh, Sarabjeet Kaur and grandmother Surjeet Kaur are in hospital under treatment. They also took away my mobile Oppo F 15 and the currency kept in the mobile cover during this attack. They also broke the phone of my mother. Reason behind this is that some days ago my brother Navi helped Rajeev and Sunny in a fight that took place on 30.03.2024. I have recorded the above statement in the presence of relatives and*

*parents. Appropriate action may kindly be taken against them. Sd/-  
Amandeep Kaur (English).*

3. Learned counsel for the petitioner contends that the petitioner was initially not named in the F.I.R nor there is any averment in the FIR, which even remotely connects the petitioner with the commission of crime. He further contends that as per the case of the prosecution, the petitioner had allegedly provided the vehicle to the main accused and his wife to escape Delhi. Except that no other role has been assigned to him. He further contends that after completion of the investigation, the prosecution had moved an application for discharging the petitioner in the present case. However, the Trial Court had wrongly declined the said prayer. The petitioner was arrested in the present case on 02.09.2024 and is not in a position to influence the witnesses of the prosecution.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner, however, he admits that the petitioner had not participated in the occurrence and had provided the shelter and support to the main accused. Thus, keeping in view the gravity of the matter, the present petition is liable to be dismissed by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, admittedly, the prosecution had moved an application for discharging the present petitioner, however, the said prayer was declined by the Trial Court. Now, the petitioner is stated to be in custody for the last more than 05 months and the trial has not even formally commenced against him. Thus, no purpose will be served by keeping the petitioner behind bars.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

11.02.2025  
hitesh

(N.S.SHEKHAWAT)  
JUDGE

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