



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

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**CRM-M No.51455 of 2025
Date of decision : 24.9.2025**

Rahul @ Munna @ Pari**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Siddharth Pandit, Advocate
Legal Aid Counsel for the petitioner

Mr. Baljinder Singh Sra, Addl. AG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.200 dated 2.10.2023, under Sections 379, 323 and 34 of the IPC (Sections 379-B, 201 and 411 of IPC added and Section 379 IPC deleted later on), registered at Police Station Chheharta, Tehsil and District Amritsar.
2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

'Statement of Prabjot Singh son of Kuldeep Singh resident of Makhi Muhalla, Ghanupur, Kale Chheharta, Amritsar age 19 years, mobile no. 99156-39882 stated that I am resident of above said address and working at Atlatis Hospital. That on dated 18.09.2023, as usual after finishing my duty, I was going towards my house, when I arrived near of my house, then Sahil alias Chander son of Jagtar Singh, Rohit son of Sukhdev Singh



residents of Near Tochi Wali Gali, Kishan son of Sikander Singh resident of Makhi Muhalla, Munna Pari were standing in my Muhalla Juimal Singh. On seeing me, they started abusing, my father Kuldeep Singh and my mother came out for escape me and they all started giving us injuries with sticks and bracelets and also pushed. They inflicted injuries in head of my father with their bracelet (Karha) and also hit bracelet (Karha) and sticks on my head. The reason of this fight is that the above said persons are drug addicted. I stopped them for doing this and said to inform police. That my mobile phone marked Redmi-5G and Rs.10,000/- were took out from pocket of my pant during this quarrel. My family arranged for vehicle and admitted my father and me at Civil Hospital and this incident occurred at about 10:30 PM. Now we are getting treatment at Guru Nanak Hospital. The statement has been recorded, which is corret. That respectable persons were trying to make out compromise, but it was failed. Sd/-Prabhjot Singh verified by Satnam Singh ASI of Polcie Post Ghanupur Kale ASR dated 02.10.2023.'

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that there was an impending dispute between the petitioner and complainant-side, on account of which the petitioner has been roped into the FIR in question. Learned counsel for the petitioner has further iterated that the petitioner is in custody since 18.11.2023. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 23.9.2025 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through



the available records of the case.

6. The petitioner was arrested on 18.11.2023 whereinafter investigation was carried out and challan was presented on 01.12.2023. Total 13 prosecution witnesses have been cited, out of which only 5 have been examined till date. It is not in dispute that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 23.9.2025 filed by the learned State counsel, the petitioner has suffered incarceration for a period of 01 year, 10 months and 5 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-



- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

24.9.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No