



CRM-M-52275-2025

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

CRM-M-52275-2025

Date of decision: 31.10.2025

LUCKY

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sumit Dua, Advocate for the petitioner.

Mr. Subhash Godara, Addl. AG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.317 dated 14.11.2023 under Sections 302, 148, 149 IPC (120-B IPC added later on) and Sections 25 and 27 of Arms Act, 1959 registered at Police Station Rama Mandi, District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR. The allegation qua the petitioner is that he was present at the spot of occurrence and no specific role has been attributed to the petitioner. He further submits that case of the petitioner is on same footing as of co-accused, namely, Lakhan Kesar @ Lakhan, Sanjay, Rajesh Kumar @ Raju, Shubham @ Shiva, Saurav, Ravi Kumar @ Bakra, Shivam @ Gunga and Vipin Kumar, who have been granted the concession of regular bail by a Co-ordinate Bench of this Court vide order dated 11.07.2025 passed in CRM-M-7025-2025

along with other connected matters. Learned counsel for the petitioner further

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submitted that the petitioner is in custody since 19.12.2023 and he is not involved in any other case except the present one.

4. On the other hand, learned State counsel has opposed the bail on the ground that the petitioner along with co-accused, inflicted grievous injury on the forehead of Rohit @ Alu, which ultimately resulted in his death. He fairly admits that petitioner is in custody since 19.12.2023 and is not involved in any other case.

5. Heard.

6. Keeping in view the facts and circumstances of the case that no specific role has been attributed to the petitioner and main allegation is against co-accused, namely, Pawan Kumar @ Rattan who caused injury on the forehead of the deceased; the co-accused, namely, Lakhan Kesar @ Lakhan, Sanjay, Rajesh Kumar @ Raju, Shubham @ Shiva, Saurav, Ravi Kumar @ Bakra, Shivam @ Gunga and Vipin Kumar, have already been granted bail by a Co-ordinate Bench of this Court vide order dated 11.07.2025 passed in CRM-M-7025-2025 along with other connected matters; the case of the petitioner is on same footing as of co-accused; there is no material on record to show that he is involved in any other case except the present one as admitted by learned State counsel; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment and it is trite principle of criminal jurisprudence that bail is a rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular



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bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed hereinabove shall be construed to be an expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

31.10.2025
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(SUBHAS MEHLA)
JUDGE

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