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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.56922 of 2025
Date of Decision: 20.11.2025
Reserved on: 18.11.2025

Aditya Vij ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Bhupinder Ghai, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

Mr. Dheeraj Kumar, Advocate,
for respondents No.2 and 3.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
80	19.06.2025	Phase-11, District SAS Nagar (Mohali), Punjab	115, 109, 351(3), 126(2), 190, 191 and 238 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the allegations

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that on the intervening night of 18/19.06.2025, an information was received regarding a firing incident and an altercation having taken place at Bestech Mall, Mohali. The police party reached there and was informed that one Siddharth Dellu had sustained a firearm injury and was admitted in Sri Guru Harkrishan Hospital, Sohana. On reaching there, statement of the complainant Akashdeep Singh was recorded who alleged that on the previous night, he along with his friend Siddharth Dellu i.e. the victim had gone to Skull Club situated in Bestech Mall. At about 2:10 AM, while he was dancing, his upper arm touched with the petitioner who pushed him. A verbal altercation had taken place between them. The victim Siddharth Dellu and other friends of the complainant who were present there had intervened and they were talking to the petitioner. Meanwhile, he had called his companions. A conflict took place between them and then the petitioner after taking out a pistol, fired a shot thereby injuring the abdomen of the victim Siddharth Dellu with intention to kill him. Several persons had gathered there and then the petitioner along with his accomplices managed to flee. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 19.06.2025. He was identified by the complainant. Co-accused Tushar Kapoor was also arrested. Investigation qua them stands concluded and challan has been presented against both of them.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long.

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Investigation stands completed. Trial will take considerable time to conclude. A compromise has been arrived at between the parties and the complainant has no objection in grant of bail to the petitioner since it was not the petitioner who had committed the subject offence. He has clean antecedents. His continued detention would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner as he was the person who had fired a shot with a pistol upon the victim causing an injury which was declared to be dangerous to life. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. No relevance can be given to the terms of the compromise allegedly arrived at between the parties nor the investigating agency is aware of any such compromise. With these broad submissions, it is urged that the petition does not deserve to be allowed.

5. Learned counsel for respondents No.2 and 3 has, however, affirmed the factum of a compromise between the parties and has submitted that Annexure P-2 written compromise deed has been voluntarily signed by the complainant and the victim Siddharth Dellu.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have formed an unlawful assembly and in prosecution of common object thereof, is alleged to have caused a firearm injury to victim Siddharth Dellu. The

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investigation now stands concluded. The trial will obviously take considerable time to conclude. Though not much relevance can be given to the factum of any compromise having arrived at between the victim and the petitioner, however, keeping in view the above discussed facts including the period spent by the petitioner in custody, the fact that trial will take time and clean antecedents of the petitioner coupled with the fact that no useful purpose would be served by keeping the petitioner in custody any more and further in view of well settled proposition of law to the effect that pre trial incarceration should not a replica of post conviction sentencing, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.11.2025
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(MANISHA BATRA)
JUDGE

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