



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

**CRM-M-59116-2025
Date of decision : 03.11.2025**

Deepak Kumar @ Budhanwalia

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Gurmej Singh Bhinder, Advocate
for the petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.133 dated 14.07.2024, under Sections 109, 3(5) of BNS, 2023 and Section 25 of the Arms Act, 1959 and later on challan was presented under Sections 109, 3(5), 238, 351(2)(3) of BNS, 2023 and Section 25 of the Arms Act, 1959, registered at Police Station City Rajpura, District Patiala, Punjab.
2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Harwinder Singh. It was alleged that the complainant was working at the liquor vend shop of Inderjit Singh, situated near T-point of Nalas Turn. On 13.07.2024, at about 11:30 P.M., when he along with Parveen Kumar was present in the shop, then two unknown persons came in the car and both of them demanded a bottle of liquor. The complainant asked them to pay money first, due to which, some heated arguments were exchanged between them. Thereafter, a person, wearing white shirt, took out a pistol from his pocket and fired upon the complainant, which hit on the back



side of his left shoulder and thus, the complainant fell down. Thereafter, both the unknown persons fled away from the spot after extending threats to kill them. Thus, the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, name of the petitioner surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 01.08.2024. The petitioner approached the Court of learned Additional Sessions Judge, Patiala praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Patiala declined the bail application filed by the petitioner vide order dated 08.10.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused Ramandeep Singh Brar. He has drawn the attention of this Court to the order passed by this Court in CRM-M-2595-2025 dated 02.09.2025 whereby co-accused of the petitioner, namely, Ramandeep Singh Brar has been granted the concession of regular bail. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail by this Court.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has placed on record the custody certificate of the petitioner which shows that petitioner has undergone actual sentence of 01 year 01 month and 12 days as on 02.11.2025. It further



reflects that there are 03 more cases registered against the petitioner out of which in 02 cases, he is on bail. However, he affirms that co-accused Ramandeep Singh Brar has already been granted regular bail by this Court vide order dated 02.09.2025 passed in CRM-M-2595-2025. He has submitted that investigation is complete, challan has been presented and out of 32 prosecution witnesses, 02 witnesses have been examined till date.

5. After hearing counsel for the parties and perusing the record, it is deciphered that on registration of the FIR, investigation commenced and petitioner was arrested on 01.08.2024. As submitted investigation is already complete and out of 32 prosecution witnesses, 02 witnesses have been examined. Co-accused Ramandeep Singh Brar has already been granted regular bail. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 01 year, 01 month and 12 days as on 02.11.2025. It further reflects that there are 03 more cases against the petitioner out of which, in 02 cases, he is on bail.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity with co-accused, Ramandeep Singh Brar who has already been granted regular bail by this Court vide order dated 02.09.2025 passed in CRM-M-2595-2025. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial

Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

03.11.2025
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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