



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-61234-2024 (O&M)

Date of decision: 02.04.2025

Hardeep Singh

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashish Paul, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.**CRM-50445-2024**

For the reasons mentioned in the application, the same is allowed and amended/correct memo of parties is taken on record.

Main Case

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.76 dated 12.06.2023 under Sections 307, 323, 506, 148, 149 of the IPC registered at Police Station Phase-8, SAS Nagar (Mohali).

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has now been in custody since 12.06.2023. It has been vehemently contended that the petitioner was not present at the scene of occurrence at the relevant time and that no injury has been specifically attributed to him. Additionally, learned counsel for the petitioner has submitted that after

the charges were framed on 13.09.2023, the trial had come to a virtual standstill as the prosecution evidence had not yet concluded. Additionally, learned counsel for the petitioner has also submitted that co-accused Rajvir Singh @ Harsh has already been granted bail, and on the ground of parity, the petitioner is entitled to the same relief.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he disputed the stage of trial. However, while drawing the attention of this Court to the allegations levelled in the FIR annexed as Annexure P-1, it has been submitted that the petitioner has been not only named in the FIR but there is a specific role attributed to him. It has been asserted that the petitioner was armed with a *gandasi* and inflicted a blow upon injured Prince, who is till date in a comatose state. Learned State counsel has further argued that the petitioner cannot claim parity with the co-accused Rajvir Singh @ Harsh who has been granted bail, as the said co-accused was neither named in the FIR nor assigned any specific role; rather his involvement surfaced only in a disclosure statement. In contrast, it has been asserted the petitioner was named at the first instance and actively participated in the crime.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The allegations in the FIR pertain to an incident dated 11.06.2023, wherein a group of 11-12 persons, armed with lethal weapons such as swords and *gandas*, allegedly arrived on motorcycles

and activa, without any provocation brutally assaulted Rahul and Prince. The petitioner is one of the accused specifically named in the FIR. The allegations against him are *prima facie* grave, and his role in the occurrence is clearly delineated. The allegation that the petitioner inflicted a *gandasi* injury upon one of the victims namely Prince, stands *prima facie* corroborated by medical evidence. Furthermore, injured Prince remains in a comatose state which underscores the severity of the crime.

6. Given the gravity of the allegations and the specific role attributed to the petitioner, this Court is not inclined to extend the concession of bail to him at this stage, moreso when the injured and other material witnesses are yet to be examined. Accordingly the present petition is dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Pending applications, if any, stand disposed of.

02.04.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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