



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

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CRM-M-63266-2025(O&M)
Date of decision: 16.07.2025

AJAY KUMAR AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

Present:- Mr. Arshdeep Singh Brar, Advocate
for the petitioners.

Mr. Gaurav Datta, Advocate for the complainant
(Through VC).

H.S. Grewal, J. (Oral)

1. The present is the third petition which has been filed under Section 483 of BNSS 2023 seeking regular bail in FIR No.208 dated 30.11.2021 under Sections 304, 323, 148, 149 IPC, 1860 (At the time of charge, sections 304, 323, 148, 149 IPC, 1860 have been deleted and Sections 302, 34 IPC, 1860 were added later on) registered at Police Station City Moga, District Moga.
2. The case of the prosecution is that the petitioners alongwith other co-accused have caused injuries to the deceased-Kuljit Singh who died later on. However, no specific role has been attributed to any of the petitioners, but they are stated to have caused injuries to the deceased Kuljit Singh who was an employee with the complainant shop. The incident is said to have taken place since the complainant party and the accused are in the same business dealing with tyres.



3. Learned counsel for the petitioners contends that no specific role has been attributed to any of the petitioners. He further states that the petitioners have been in custody for more than 03 years as the petitioner-Ajay Kumar has been in custody since 24.06.2022, the petitioner-Vishal Kumar has been in custody since 15.06.2022 and that of the petitioner-Karam Singh has been since 09.05.2022.

4. Notice of motion.

5. Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice on behalf of the respondent-State.

6. Learned counsel for the State vehemently opposes the grant of concession of regular bail by way of filing of custody certificate dated 15.07.2025 and further states that the petitioners are in custody for the last more than 03 years and out of 36 prosecution witnesses, 25 have been given up by the prosecution, 03 have been examined and 08 prosecution witnesses are yet to be examined.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the facts and circumstances of the present case, and the fact that the petitioner is in custody for the last 03 years and 18 days and out of 36 prosecution witnesses, 25 have been given up by the prosecution, 03 have been examined and 08 prosecution witnesses are yet to be examined, as such, further incarceration of the petitioners would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioners.

7. Therefore, without expressing any opinion on the merits of the



case, the instant petition is allowed. The petitioners are granted concession of regular bail in the present case, on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned. The pending applications, if any, also stand disposed of.

8. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

16th July, 2025
Sonia Puri

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No