

2026 PHHC 052306



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

111+208

CRM-12996-2026 in/and
CRM-M-7723-2026
Date of decision: 6th April, 2026

Bablu Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gurmehar Singh Minhas, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

CRM-12996-2026

This application has been filed by the applicant for placing on record the order of co-accused as Annexure P-3.

For the reasons mentioned in the application, the same is allowed, subject to all just exceptions. Annexure P-3 is ordered to be taken on record.

Main case

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 113 dated 19.08.2025 registered under Sections 109(3), 118(1), 118(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959 at Police Station P.S. Division No. 7, Jalandhar.

2. The aforementioned FIR has been registered on the basis of

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statement recorded by the complainant Dr. Rahul Sood alleging that on 19.08.2025, he was intercepted by three persons unknown to him, one of whom had pushed him and made him sit on the rear seat of his car and one of whom had fired three shots, one of which had hit his right leg. After registration of FIR, investigation proceedings were initiated. On the basis of secret information, the petitioner and co-accused Satya Narayan and Ajit Kumar were nominated as such. Accused Satya Narayan was arrested on 02.09.2025. He suffered disclosure statement admitting his involvement in the crime and was duly identified by the complainant. The petitioner was arrested on 09.09.2025. He was also seen in the CCTV footage of the camera installed at the sight of the occurrence. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No proper test identification parade of the petitioner has been got conducted. The firearm injury has not been attributed to the petitioner or any specific accused. He is in custody since long. The co-accused whose case was on similar footing, has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, thus, argued that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learned State counsel has argued that the allegations against the petitioner are serious in nature. His involvement was established by corroborative electronic evidence including CCTV footages showing prior presence of the petitioner near the place of occurrence and his committing recee. There are chances of his intimidating the witnesses, if extended benefit of bail. It is, thus, argued that

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he does not deserve to be released on bail.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused is alleged to have made an attempt to kill the victim by firing shots with some firearm on the fateful day. The allegations *prima facie* make out a case for commission of subject offences against the petitioner. However, the petitioner is not required for further investigation now since the same stands concluded. There are no chances of conclusion of trial in near future as no prosecution witness has been examined so far. There is no basis for the contention that he may intimidate the witnesses or will abscond. As such, no fruitful purpose would be served by detaining him in custody anymore. It is well settled proposition of law that pre-trial incarceration should not be a replica of post conviction sentencing and the bail is the rule and jail is an exception. Taking into consideration the clean antecedents of the petitioner, the period spent by him in custody and the circumstances peculiar to the case, this Court is of the considered opinion that the petitioner has made out a case for release on bail.

7. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

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facts of the case or tamper with the evidence of the case in any manner whatsoever.

(ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) The petitioner shall appear before each and every date of hearing.

(iv) The petitioner shall provide his permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.

(v) The petitioner shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in his mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance and shall keep his mobile phone switch on all times.

(vi) The petitioner shall deposit his passport, if any, with the learned trial Court.

8. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

[MANISHA BATRA]
JUDGE

6th April, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |