

CRM-M-10315-2026

2026:PHHC:055334



::1::

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

(209)

**CRM-M-10315-2026 (O & M)
Date of Decision:-09.04.2026**

Kasmudin Ansari

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. J.S. Dadwal, Advocate,
for the Petitioner.

Mr. M.S. Toor, AAG, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail in case FIR No.0294 dated 02.10.2024 under Sections 103, 109, 115(2), 191, 190, 324(4), 126(2) of BNS, 2023 registered at Police Station Division No.7, Ludhiana.

2. The present FIR came to be registered at the instance of Shamshair Ansari and reads as under:-

Statement of Shamshair Ansari son of Shamat Ali of Village Budatwar, Kushi Nagar, Gorakhpur, U.P., presently resident of House No. 470, Street No. 2, Heaven City, Bhamian Khurd near Avtar Gas Agency, Ludhiana age 24 years, mobile: 97796-15846. Stated that I am resident of the above address and I work as Manager at Avtar Gas Agency and I have delivery



::2::

employees numbering about 25 and all of them deliver gas cylinders in different their respective 02/10/2024 at about 11-12 noon, one of my delivery areas on autos. On dated men Umesh Chaudhary called me and informed that in Mohalla E.W.S. Colony, Ludhiana, a person named Naseem Ansari has surrounded him and is quarrelling with him and both of US have received minor injuries due to fighting with each other. On hearing his call, I along with my office associate Gurcharan Singh, who works as security in the office, went from Beantpura Mohalla, Chandigarh Road on my motorcycle and reached E.W.S. Colony near the clinic of Doctor Yadav where we met delivery man Umesh Chaudhary who told that his auto No. PB10-BX-0294 has been broken by Naseem Ansari and his associates and on my reaching, Naseem Ansari after giving injuries to Umesh Chaudhary moved aside and when I and my associate moved Umesh Chaudhary who was standing there to the side, in the meantime Naseem Ansari's son Aftab Ansari and his brother Qasmudeen Ansari and persons named Mahinder and Bittu and 4-5 unknown persons who were holding sticks, lathis and iron rods, Naseem Ansari's son and his brother and persons named Mahinder and Bittu and the remaining persons who were having iron rods, in front of us started hitting Umesh Chaudhary on the head with rods with the intention to kill him. Due to which Umesh Chaudhary started bleeding heavily from his head and I tried to stop them but Naseem Ansari's brother Qasmoodeen Ansari also hit an iron rod on my hand and their other associates gave stick blows on the head and body of Umesh Chaudhary. Due to which Umesh Chaudhary fell down there on the ground and on seeing gathering of people all of them fled away from the spot along with their respective weapons and then my associate arranged an auto and got. Umesh Chaudhary admitted in Civil Hospital, Ludhiana for treatment but the doctor of Civil Hospital, Ludhiana told us that



::3::

he has received very serious injuries and is very serious and asked us to take him to P.G.I Chandigarh but as Umesh Chaudhary was more serious we took him to SOBTI NEURO & SUPER SPECIALITY HOSPITAL, KVM School Road, CIVIL LINE, LUDHIANA for treatment where Umesh Chaudhary is under treatment. have got my statement recorded along with Gurcharan Singh. It has been read over and is correct. Sd: Shamsheer Ansari.

3. The learned counsel for the petitioner contends that both the material witnesses, namely, PW-1/Gurcharan Singh (eye-witness) and PW-2/Shamsheer @ Shamsheer Ansari (complainant) have been examined during the course of the Trial and have not supported the prosecution version. Other than the statements of the said witnesses, there is no evidence inculcating the petitioner. As he is a first-time offender, in custody since 03.10.2024 but only 02 of the 21 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner be granted the concession of regular bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner is one of the main accused and his role has been described vividly in the FIR. Therefore, he is not entitled to the concession as prayed for. He, however, states that both the material witnesses have been examined and have not supported the prosecution version. He also concedes that the petitioner is a first-time offender, in custody since 03.10.2024 and only 02 of the 21 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, two material prosecution witnesses i.e.



::4::

PW-1/Gurcharan Singh (eye-witness) and PW-2/Shamsher @ Shamshair Ansari (complainant) have been declared hostile. Whether the remaining evidence is sufficient to establish the guilt of the petitioner and his co-accused shall be adjudicated upon by the Trial Court. Admittedly, the petitioner is a first-time offender, in custody since 03.10.2024 but only 02 of the 21 prosecution witnesses have been examined and therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner-Kasmudin Ansari is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 09, 2026
sukhpreet

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