



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

CRM-M-12084-2026 (O&M)

Date of Decision: 21.05.2026

Daman Gharu @ Ankush

...Petitioner

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Chadan Singh Rana, Advocate with
Ms. Komalpreet Kaur, Advocate
for the petitioner.

Mr. Bhanu Partap Singh, Addl. A.G., Punjab.

N.S.Shekhawat J. (Oral)

CRM-9664-2026

1. Application is allowed as prayed for, subject to all just exceptions.

Main case

1. The petitioner has filed the third petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.58, dated 21.06.2023, registered under Sections 307,148,149 and 506 of IPC & 25 of Arms Act and Section 326 of IPC added later on, at Police Station Division No.4, District Police Commissionerate Ludhiana (Annexure P-1).

2. Learned counsel for the petitioner contends that the alleged incident had taken place on 20.06.2023, whereas, the F.I.R in the present case was registered on 21.06.2023 and the delay in registration of the F.I.R was not properly explained. Learned counsel further contends that injured namely

Munish Gujral @ Manu was medico-legally examined on 20.06.2023 and has already been discharged after 15 days. Learned counsel further contends that initially no specific injury was attributed to the petitioner, but during the course of investigation, the statements of the injured Munish Gujral @ Manu and Rajan Sharma were recorded on 04.09.2023 and it was falsely alleged that the petitioner had given a blow with *Kirpan* on the head and thumb of right hand of the injured. He further contends that the petitioner was arrested in the present case on 24.06.2023 and is in custody for the last more than two years and 10 months. Even, co-accused namely Daman Moong @ Himanshu and Sahil Bedi have already been granted the concession of bail by this Court vide orders (Annexures P-4 and P-8), respectively. Learned counsel further contends that another co-accused Bhola Shukla has also been granted the concession of bail by this Court. Even, the prosecution has been able to examine only three witnesses so far and every attempt has been made to delay the trial before the Trial Court.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner and submits that one more F.I.R under the provisions of Arms Act was registered against the petitioner and the present petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. It is not in dispute that the petitioner is in custody for the last more than 02 years and 10 months and the trial has not progressed much before the Trial Court. Apart from that, the injured in the present case has already been discharged long ago and there is no material on record to indicate that the

petitioner is in a position to influence the witnesses of the prosecution or may flee from the process of justice.

6. Without commenting anything on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

21.05.2026
hitesh

(N.S.SHEKHAWAT)
JUDGE

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