



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

225**CRM-M-14845-2026****Date of decision : 23.04.2026****Date of uploading : 23.04.2026****Ranja Alias Ranjhudeen****.....Petitioner****Versus****State Of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present: Mr. Kanwaljeet Singh, Advocate for the petitioner.****Mr. Jaypreet Singh, DAG, Punjab.****---****SUMEET GOEL, J. (ORAL)**

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.23 dated 02.02.2025 under Sections 103, 333, 191(3), 190 of BNS and Section 333 of BNS deleted and Section 331(8) of BNS added later on, registered at Police Station Sidhwan Bet, District Ludhiana Rural.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"Statement of Shokat Ali, son of Rahmuddin, son of Nawabuddin, resident of Sadarpura, aged 28 years, mobile no. 98786-65324, stated that I am a resident of the above address. And I belong to the Gujjar community. Before this, I used to live in village Tharika, district Ludhiana and for about 5-6 months, I have been living with my family in shed built in the land in village Sadarpura. My father Rahmuddin and Shahdin alias Shahuan, son of Babuddin, resident of Manakwal, were close friends. In our community, we decide the relationship of children among ourselves as soon as they are small. Shahdin alias Shahuan had asked my father for the relationship of my sister Meena for his nephew Baghi, son of Khandu, and my father had said that when the children grow up, he will get them married. But for some time now, my father and Shahdeen were not getting



along, due to which my father had refused to get my sister married to Khandu, but Shahdeen was insisting on my father for marrying my sister Meena to his nephew Khand, so my father kept this matter in our community and the Panchayat also told Shahdeen that when the girl's father is not willing, then the marriage cannot be done by force, so Shahdeen alias Shahu threatened in the Panchayat that he will not give up on his nephew's demand and will take Meena away. My father got my sister Meena married to Rafi, who lives with us, about 2 months ago. On 31-1-2025, we, the whole family, had eaten bread and water and gone to sleep. The light bulb was on outside in the courtyard. Around 11.11-30 pm, Shahdeen alias Sahuan, son of Babu Din having Takua, Surmuddin son of Shahdeen having Dah, Rajha son of Shahdeen having baseball, Mam Hussain son of Khandu having Kirch and Baghi son of Khandu having Kirpan, residents of near Railway Gate Manakwal, Ludhiana district, and other unknown persons with them came to the room built in our shed at our house. At that time, the door of the room was open and the light bulb was on inside. All these people entered the room. Hearing the sound of them coming inside, I and my family also woke up. Shahdeen alias Shahuan shouted that today Rahmuddin should not be spared today. Let him teach a lesson for not marrying my nephew as per our demand. Then Shahdeen alias Shahua hit my father who was lying on the bed with his hands on the left side of my father's head, Surmuddin hit my father's face with his Daah, which hit under the right eye, Rajha hit my father's face with his baseball bat, which hit under the left eye, Mam Hussain hit my father's right leg with his kirch and Baghi hit my father's right and left arms with his kirpan and all of them kept attacking my father with their weapons, which hit my father's left leg and left arm. Unknown people who came with them, who also had baseball bats and daangs, also hit my father with their weapons. I raised noises of Maarta Maarta, the rest of my family also raised noise, then all these oppressors fled from the spot with their weapons and while leaving they said that we have taken revenge for Meena's refusal to give up our demand, do whatever you want. My brother Gulzar and I arranged a ride and brought my father to Civil Hospital Sidhwabet. The doctor referred my father to Civil Hospital Ludhiana because he had suffered severe injuries. We took my father to Civil Hospital Ludhiana where the doctor gives him bandaged and treated him. However, since my father's injuries were severe, we admitted my father to Neuro Life Mittal Hospital Ludhiana where my father died during treatment at around 12 o'clock at night. My father, Shahdeen alias Shahun, in consultation with his associates, gave beating to my father, which led to my father's death. Today, my brother and I were going to the police station to report my father's death. You have met me at Kishanpura Chowk Sidhwabet. I have written a statement. I have read it, I have listened to it. It is okay, I am a claimant. Legal action should be taken.

Urdu True/-Shokat Ali RTI/-

Gulzar Attestation True/-Hira Singh INSP Chief Officer, Police Station Sidhwabet Date 02-02-2025. Action Police: On date 01-02-2025, it was reported from Civil Hospital Ludhiana that Rahmuddin Putra Nawabdin, resident of Sadarpura, is admitted to Civil Hospital in critical condition. Send I/O for action. On which ASI Gurmeet Singh reached Civil Hospital Ludhiana for action and obtained MLR RA/667/25 dated 01- 02-2025 of injured Rahmuddin son of Nawabdin, resident of Sadarpura, in which the doctor recorded a total of 14 injuries, out of which injury no. 1,4,5,6,7,8,9,10,11,12,14 are Sharp and injury no. 2,3 and 13 are Blunt weapon injuries and injured Rahmuddin was admitted to Neuro Life Mittal Hospital, Ludhiana, after which ASI Gurmeet Singh and his colleagues reached Neuro Life Mittal Hospital, Ludhiana and injured Rahmedeen was admitted to Neuro Life Mittal Hospital Ludhiana, on which ASI Gurmeet Singh along with his colleagues reached Neuro Life Mittal



Hospital Ludhiana and submitted a written application to the doctor to obtain injured's statement. The doctor declared injured Rahmedeen incompetent to give a statement, who made a return report no. 25 dated 01-02-2025. Today, a telephone call was received from Neuro Life Mittal Hospital Ludhiana that Rahmedeen's son Nawabdin, resident of Sadarpura, had died, on which the Inspector along with SI Surjit Singh No. 53/Moga ASI Raj Kumar No. 572 HC Inderjit Singh No. 222 C Happy Singh No. 343 C Milan Kumar No. 321 PHG Color Christopher No. 29643 on Government Scorpio Black Number PB- 65 AW-3214 whose driver is PHG Christopher No. 29643 was going to Neuro Life Mittal Hospital Ludhiana for action when the police party reached Kishanpura Chowk Sidhwabet where Shokat Ali along with his brother Gulzar met him. Shokat Ali had recorded his statement to me. The statement was read to him. He accepted it as true and signed his statement in Urdu. Gulzar affixed his left thumb to confirm the statement and I verified the signature and thumb. From the statement of and the result of MLR are found to be the crime of 103,333,191(3), 190 BNS. Therefore, statement is sent to police station though by hand Milan Kumar No. 321. A case should be registered and the case number should be informed. The control room should be informed. A special report should be issued and sent in the service of officers. I, along with my colleagues, are busy investigating. Today:- Kishanpura Chowk Sidhwabet AT/-9:30 AM Correct/ Hira Singh INSP Chief Officer Police Station Sidhwa Bet Date 02- 02-2025. Today, on receiving the statement at police station through by hand Milan Kumar No. 321, FIR has been registered for the above crime against Shahdin alias Sahuan son of Babu, Surmuddin son of Shahdin, Rajha son of Shahdin, Mam Hussain son of Khandu and Baghi son of Khandu residents near Railway Gate Mankawal District Ludhiana and other unknown persons and the record is being completed. Special reports are being sent to the service of S/CT Davinderpal Singh 839 Area Magistrate and senior officers. Original statement and copy of FIR are being sent through by hand Milan Kumar No. 321 to INSP Hira Singh 01/LR SHO at Police Station. Sidhwan Bet Pass. DCR District Ludhiana Rural is being informed on W/M."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 14.02.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the prime prosecution witnesses have turned hostile, and thus the trial is not likely to culminate into conviction. Learned counsel has further urged that the petitioner has clean antecedents. Learned counsel has further iterated that the petitioner has suffered incarceration for more than 1 year. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of an affidavit dated 17.04.2026, in the Court today, which is taken on record. Copy



thereof has been furnished to learned counsel for the petitioner. Raising submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 22.04.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 14.02.2025 and is in continuous custody since then. Challan, upon culmination of the investigation, stands presented on 14.05.2025. Total 16 prosecution witnesses have been cited, out of which only 2 have been examined till date. It is, thus, indubitable that culmination of trial will take its own time. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in ***Criminal Appeal No.2787 of 2024*** titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

“19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”



The rival contentions; including the veracity/weightage required to be attached to the testimony of the hostile witnesses; shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 22.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 1 year 2 months and 4 days & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)

JUDGE

23.04.2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No