

2026:PHHC:064304



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16809 of 2026

Sameljeet @ Samel ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	27.04.2026
2.	The date when the judgment is pronounced	28.04.2026
3.	The date when the judgment is uploaded on the website	28.04.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Gurdeep Kaur, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The instant one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in case arising out of FIR

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No.34 dated 05.02.2021 registered under Sections 302, 307, 324, 323, 148, 149 and 201 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station City Jalalabad, District Fazilka. The previous petition as filed by the petitioner had been dismissed by this Court vide order dated 11.12.2025.

2. As per the allegations, on 04.02.2021, the petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly had opened an assault upon the victim Rahul Sukhija by firing shots with a pistol and thereby causing his homicidal death. The petitioner was named in the supplementary statement of the complainant as recorded on 11.02.2021.

3. The main thrust of arguments as addressed by learned counsel for the petitioner is that since the similarly situated co-accused Sunil Kumar has been extended benefit of bail, the petitioner too deserves to be extended the same benefit on parity.

4. Per contra, learned Assistant Advocate General, Punjab has argued that the petitioner was declared a proclaimed person vide order dated 17.03.2025. There are chances of his absconding again, if extended benefit of bail. His previous petition had been dismissed by passing a detailed order. No ground for allowing this petition is made out. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, homicidal death of the victim was caused. The petitioner was

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not named in the FIR. The similarly situated co-accused Sunil Kumar has been extended benefit of bail by this Court vide order dated 16.03.2026. On parity, the petitioner deserves to be extended the same benefit. Therefore, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.04.2026
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(MANISHA BATRA)
JUDGE

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