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

**CRM-M No.21121 of 2026
Date of decision: 24.04.2026**

Ramesh Kumar @ Kulli @ Gulli

....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.0119, dated 02.09.2022, under Sections 302, 341, 506, 148, 149, 120-B of IPC, registered at Police Station Sultanwind, District Amritsar.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Subhash Chander. It was alleged that about 01 month ago, son of the complainant, namely, Shiv Kumar @ Shiva, who was aged about 24 years, had a fight with Lucky and on account of the same, a case was registered against his son and he was later on released on bail in that case. It was alleged that on 02.09.2022, at about 07:30 P.M., the complainant sent his son to purchase some grocery items and he was standing outside his house, in the



meantime, the complainant heard noises coming from nearby. The complainant reached the spot and saw that Pawan @ Boxer, Ramesh Kumar @ Gulli, i.e. the petitioner armed with Datar, Nishan Singh armed with Datar, Shubham Suniyara armed with kirch, Harcharan Singh @ Tidda armed with Datar and Aman @ Patu armed with Danda along with 4-5 unidentified persons, who were also armed with datars, kirpans, sticks and one sua, were there. They all in connivance with each other encircled the son of complainant. Pawan Kumar @ Boxer raised lalkara and stated that to catch hold of son of complainant. In the meantime, Shiv Kumar in order to save himself entered inside the house of Jasbir Kaur. All the accused persons dragged the son of complainant outside the house and during that time, Ramesh Kumar @ Gulli, i.e. the petitioner gave datar blow on the head of his son. Thereafter, his son fell down and all the accused started giving beatings to him. Pawan Kumar @ Boxer with intention to kill also gave datar blow on Shiv Kumar, which hit on the backside of his head. Thereafter all the accused gave several blows with their weapons with intention to kill the son of complainant. On raising alarm, the people gathered and then, all the accused persons ran away from the spot along with their respective weapons. The injured, i.e. the son of complainant got admitted in Shri Guru Nanak Dev Hospital, Amritsar for treatment, where the doctors declared him dead. Hence, the request was made to take legal action against all the accused persons. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The petitioner were arrested on 03.09.2022. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the



Court of learned Sessions Judge, Amritsar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Amritsar dismissed the bail application filed by the petitioner vide order dated 06.01.2023. Being aggrieved, the petitioner earlier approached this Court praying for the grant of regular bail by way of filing CRM-M-17894-2024, however the same was dismissed as withdrawn vide order dated 03.10.2024. Hence being aggrieved, the petitioner is again before this Court praying for the grant of regular bail by way of filing the present second petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of regular bail on the basis of parity with that of the co-accused, namely, Pawan Kumar @ Boxer. He has drawn the attention of this Court to the order dated 02.04.2026 passed by this Hon'ble Court in **CRM-M No.14427 of 2026**, whereby co-accused of the petitioner, namely, Pawan Kumar @ Boxer, has been granted the concession of bail. He has submitted that case of the petitioner is at par with that of the co-accused, who has been granted bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail.

4. Learned counsel for the State has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the case of the petitioner is at par with that of co-accused, namely, Pawan Kumar @ Boxer, who has been granted bail by this Court. He has produced custody certificate of the petitioner today in the Court which is taken on record.

5. I have heard learned counsel for the parties and perused the record with their able assistance.



6. On hearing counsel for the parties and perusing the record, it is deciphered that the FIR in the present case was lodged on the statement of complainant Subhash Chander. Admittedly, co-accused of the petitioner, namely, Pawan Kumar @ Boxer, had already been granted bail by this Court vide order dated 02.04.2026 passed by this Court in **CRM-M-14427-2026**. Custody certificate produced would show that the petitioner has suffered an incarceration of 03 years, 07 months and 15 days as on 23.04.2026. It further reflects that the petitioner is not involved in any other case. Needless to say that every accused has the fundamental right of speedy trial.

7. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

8. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in '**Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**', has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

9. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by



both the parties before the trial Court.

10. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

11. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

24.04.2026
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(RAJESH BHARDWAJ)
JUDGE

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