



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

207 CRM-M-24893-2026 (O&M).
Date of Decision: 08.05.2026.

Harmesh @ Ramesh @ GabbarPetitioner.

VERSUS

State of PunjabRespondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Jaiteshwar Singh, Advocate for the petitioner.
Mr. Neeraj Madaan, Senior Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harmesh @ Ramesh @ Gabbar	001	04.01.2025	309(2), 324(2) and 238 (added later on) of BNS, 2023.	Ghall Khurd	Ferozepur

2. The first bail petition (CRM-M-52610-2025) was disposed of on 20.03.2026 by observing that comprehensive petition be filed after examination of the material witnesses.

3. Learned counsel for the petitioner contends that two material

witnesses namely Rajdeep Singh and Jaspreet Singh have already been examined as PW-2 and PW-3 respectively, however, earlier to the dismissal of the previously filed bail petition and as per their deposition, the accused were muffled faces. Therefore, to establish identity of accused would be a main issue before the trial Court, which cannot be adjudicated in the proceedings of the present petition. Offences are triable by the Court of Magistrate and final conclusion of it may consume considerable time. In regard to the involvement of the petitioner in eight other cases, it is argued that in seven of the cases, the petitioner is on bail and in one case he has already been acquitted. Therefore, considering the aspect that petitioner is already inside jail in the present case for the last 01 year, 02 months and 18 days, learned counsel prays for grant of bail to the petitioner.

4. On the other hand, learned State counsel argues that once accused persons including the petitioner have been identified, no case for bail is made out.

5. I have considered the submissions addressed by the respective counsel.

6. Admittedly, in cross-examination, both the material witnesses namely Rajdeep Singh and Jaspreet Singh (PW-2 and PW-3) have been conducted and they deposed that all three accused were muffled faces. However, in the examination-in-chief, they have identified the accused persons who were produced through video conferencing. Final conclusion in regard to identity of accused would be taken at the final stage of the trial. Offences are being tried by the Court of Magistrate. Petitioner is inside jail for the last 01 year, 02 months and 18 days and trial of the case is likely to consume considerable time.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/ surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. **Petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

08.05.2026

jitender

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No