

2026:PHHC:078239



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

213

CRM-M-27122-2026 (O & M)

Date of decision: 19.05.2026

SUNIL SALHOTRA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Karan Choudhary, Advocate,
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.264 dated 19.11.2025, under Sections 109, 126(2), 190, 191(3) BNS (old Sections 307, 341, 149, 148 IPC) and Sections 25/54/59 of the Arms Act, 1959, later on added Sections 115(2), 351(2), 304, 61(2), 249 (B) BNS (Old Sections 323, 506, 304, 120-B, 212 IPC) registered at Police Station City Phagwara, District Kapurthala.

2. Learned counsel contends that the petitioner has been in custody for about 6 months. He alleges false implication. It is a case of version and cross-version (which was registered at the hands of his mother and is still under investigation). As per the allegations, injury inflicted by the petitioner was not declared dangerous to life. There is no allegation against the petitioner of having fired. Challan has been

presented on 27.01.2026, however, charges are yet to be framed and there are, in all, 21 PWs. He is involved in 1 more case wherein he is on bail. Reliance is placed on the judgment passed by Hon'ble the Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 18.05.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 5 months and 17 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having caused grievous injury. However, she is unable to controvert the submissions with regard to stage of the case and the petitioner being on bail in another case.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

7. Considering the facts and circumstances of the case and the submissions made on behalf of the petitioner, in particular he being in custody for the last 5 months and 17 days; on bail in another case; challan stands presented on 27.01.2026, but charges have not been framed and

there are total 21 PWs; the trial is likely to take a considerable time and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, thus the present petition is allowed.

8. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

19.05.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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