



CRM-M-34498-2026

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the present petitioner accompanied by co-accused, Mohammad Sudagar and Mohd. Hisar reached there being armed with iron rods. Co-accused, namely, Mohd. Sudagar struck a blow with his iron road on the petrol tank of his motorbike and the petitioner gave multiple iron rod blows on the left arm of the complainant, thereafter, he entered inside the shop of Sahibdin while hurling abuses. He struck a blow with an iron road on the head of complainant. Accused Mohd. Hisar also caused injuries on his head with another iron road. His relative Sahibdin rushed for his rescue but all of them inflicted injuries on his person as well. Thereafter, they dragged him outside the shop and started causing injuries to him with their respective weapons and while making exhortations to kill him. In the meanwhile, PW Jamaluddin reached there, who raised clamour and then the assailants fled away. The complainant and Sahibdin were rushed to the hospital. The cause of grudge was a dispute over a plot between the petitioner and the complainant.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since 23.04.2026 and the final report has already been presented. Further, co-accused, namely, Mohammad Sudagar, has been granted the concession of regular bail by this Court in CRM-M-69816 of 2025 titled as ***Mohammad Sudagar Vs. State of Punjab*** decided on 27.03.2026 (Annexure P-7). Further, the petitioner is alleged to have given an iron rod blow on the left arm of the complainant which is on the non-vital part and simple in nature caused with a blunt weapon. Further, the motive regarding the dispute of property is between the co-accused, namely, Mohd. Sudagar and the complainant.



4. *Per contra*, learned senior counsel opposes the grant of regular bail to the petitioner on the ground that the petitioner came to the support armed with weapon and has actively participated in the incident in which the victim has received 10 grievous injuries, as such, he is not entitled to any relief.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the the complainant has ongoing property dispute with co-accused, namely, Mohd. Sudagar, who has been granted the concession of regular bail by this Court in CRM-M-69816 of 2025 titled as ***Mohammad Sudagar Vs. State of Punjab*** decided on 27.03.2026 (Annexure P-7). The petitioner is behind the bars since 23.04.2026. Investigation is complete. The final report under Section 193 of BNSS (earlier Section 173 of Cr.P.C.) was presented before the concerned Court. The culpability, if any, would be determined at the time of trial. The trial of the case would take long time to conclude. No useful purpose shall be served by further detention of the accused/petitioner for an indefinite period. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

6. In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Mohammad Siraj alias Surraaj Mohammad, is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

26.06.2026
Neha

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