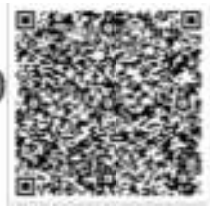


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(135-B)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41511-2025 (O & M)
Date of Decision: 16.03.2026

Kuldeep

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Madhu Bala, Advocate and
Mr. Jagmeet Singh Moudgill, Advocate,
for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

Ms. Malkit Kaur, Advocate,
for the complainant.

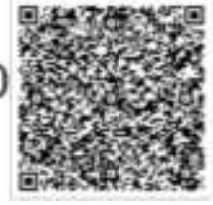
JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS is for the grant of regular bail in case bearing FIR No.330 dated 28.07.2024 under Sections 309(4), 310(2), 308(2), 331(6), 111 of BNS enhanced under Sections 190, 191, 238, 324(2), 61(2) BNS, registered at Police Station Zirakpur, District SAS Nagar (Mohali).

2. The present FIR came to be registered at the instance of Parveen Kumar and reads as under:-

"Statement of the complainant-Parveen Kumar alias Honey son of Kuldeep Singh resident of Village Datol, Police Station

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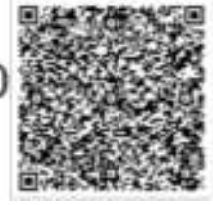


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Bangana, District Una, Himachal Pardesh presently resident of Hotel G. Plaza, Near Patiala Chowk, Zirakpur, Police Station Zirakpur, District SAS Nagar aged about 34 Years, Mobile Number: 7696293510. Stated that I am a resident of the aforesaid address and I have been working in Hotel Line for the last about 04/05 years and I am running a Hotel G-Plaza, Near Patiala Chowk, Zirakpur and another hotel New Style and the third hotel Anmol on its backside on rent. From the past 10-15 days, Sahil Thakur, a resident of village Chatt, used to meet me and kept on asking me what is the matter with Feroze Khan. Then he said, "You move aside, otherwise I will see you in my own way. I have my own group in Zirakpur. I have 40/50 boys in my group. I have high links. You have to pay me Rs.50,000/- very week. If you don't pay this amount, then I will shut down your hotels." On 24.07.2024, I was at New Style Hotel. At around 10:45 PM, Sahil Thakur, , Nikhil resident of Banur and Samma went to my other hotel G-Plaza, who asked about me. Then I went to my other hotel, New Style. I had gone out for work from there, then they went inside my New Style Hotel and started threatening my staff and left saying that he should tell his owner to close his hotel or else I have to face the dire consequences. My staff informed me about this on the phone. Then on dated 25.07.2024 at around 5 PM, Sahil Thakur along with 19/20 youths came at my hotel on a motorcycle, who asked about me and at that time, they all approached them with Swords and Sticks and closed all three of my hotels and said that we are not afraid of any police action. I got scared and I did not tell anyone on being scared, because they said that we have high approach. On dated 27.07.2024 at 10:00 PM, I received a call from my New Style hotel that Sahil Thakur came with about 25/30 youths on a

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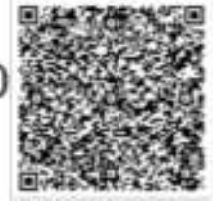


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motorcycle. They all had swords, sticks and baseball. They looted mirrors installed in my three hotels and broke LEDs, ACs installed inside and other belongings inside the hotel. They surrounded the employee Ravinder standing at the counter of the New Style Hotel and took away Rs.20,000/- from him and the DVR installed in the hotel. In this regard, I have been investigating this matter till now. I have come to know that Sahil Thakur came along with Nikhil Chaudhary resident of Banur, Chetan resident of Dhakoli, Samma resident of Badal Colony, Zirakpur, Baaj resident of Banur, Rana resident of Banur, Vishal resident of Dhakoli, Jassi resident of Dhakoli, Baman resident of Banur, Kapil son of Rakam Singh resident of Sukhna Colony, Zirakpur, Kuldeep resident of Preet Colony, Zirakpur, Rakesh resident of Sukhna Colony, Zirakpur, Deepak resident of Sukhna Colony, Zirakpur, Honey resident of Sukhna Colony, Zirakpur, Harpreet Singh alias Happy son of Karnail Singh resident of Preet Colony, Zirakpur, Prince son of Som Nath resident of Sukhna Colony, Zirakpur, Lokesh son of Ramesh resident of Sukhna Colony, Zirakpur, Deepak son of Baldev Singh resident of Preet Colony, Zirakpur and 10/15 other unidentified youths. I can identify all of them when they come forward. Now I was going to the police station to give information in this regard. You have met near Kohinoor Dhaba, Ambala Road, Zirakpur. I have written a statement to you. I heard it right. Narrator: Sd/- Parveen Kumar.

3. The learned counsel for the petitioner contends that the petitioner has been arrayed as an accused on the basis of *hear say* evidence. As he is in custody since 22.10.2024 but none of the 17 prosecution witnesses has been



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examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State and the counsel for the complainant, on the other hand, contend that the petitioner was a part of the gang headed by Sahil Chaudhary. The nature of the allegations levelled against the petitioner do not entitle him to the concession as prayed for. They, however, admit that the petitioner is in custody since 22.10.2024 but none of the 17 prosecution witnesses has been examined so far.

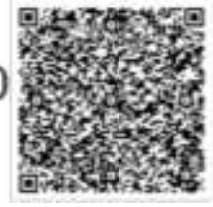
5. I have heard the learned counsel for the parties.

6. As per the contents of the FIR, the petitioner has been named on the basis of *hearsay* evidence. Therefore, his culpability shall be established during the course of the Trial. As he is in custody since 22.10.2024 but none of the 17 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Kuldeep is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear on the first Monday of every month before the local police station till the conclusion of the trial and furnish an affidavit each time that he is not involved in any crime other than the cases referred to in the custody certificate dated 14.03.2026 of the petitioner.

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9. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

10. In addition, the petitioner (or anybody on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

11. The petition stands disposed of.

12. Since the main petition has been allowed, no order needs to be passed in the pending application(s), if any.

(JASJIT SINGH BEDI)
JUDGE

March 16, 2026

sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable :- Yes/No