



CRM-M-41164-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-41164-2025
Decided on : 17.02.2026

Vishal Lahoria @ Vishal Kumar @ Vishal

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Rajiv Kumar Saini, Advocate
for the petitioner(s).

Mr. Jasdeep Singh Gill, Addl. A.G., 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
Vishal Lahoria@ Vishal Kumar @ Vishal, aged 21 years	107	05.11.2024	109/3(5) of BNS read with Section 25 of Arms Act and lateron enhanced offence under Section 308(5)/238 of BNS	Sadar Gurdaspur	Gurdaspur

2. Learned counsel for the petitioner contends that as per allegations, on 05.11.2024 at about 5.30 p.m., when the complainant-Harinder Singh was standing in front of his shop, two young boys by covering their faces with black clothes, came on their motorcycle and started firing upon him. However, no injury was

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suffered by the complainant. Thus, counsel for the petitioner contends that present one is not an injury case, though fire arm has been used. During investigation it came up that the shots in question were fired by one Captain Singh @ Kaptain Singh, who has already been granted bail by the Juvenile Justice Board being minor. He further submits that another co-accused-Gurjinder Singh @ Gagan, who provided weapon to juvenile conflict in law Captain Singh @ Kaptain Singh, has already been released on bail by this Court vide order dated 02.04.2025 passed in CRM-M-16996-2025.

The petitioner has not been attributed any specific role of firing the shot, however, he has been arrested only on the basis of suspicion that he has made extortion call to the complainant. He further submits that out of total 27 prosecution witnesses, only 01 has been examined till date, whereas the petitioner is inside jail since 01 year, 02 months and 09 days.

3. On being asked by the Court, it is specifically responded by counsel for the parties that as per allegations, petitioner was not even present at the place on incident.

4. Learned State counsel, while opposing the prayer and submissions advanced by learned counsel for the petitioner, however, he does not deny the fact that petitioner is in custody since 06.12.2024, thus, prays for dismissal of bail.

5. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

6. Without expressing any opinion on the merits of the case, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose.

Consequently, prayer made in the present petition is allowed.



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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.

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

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

Pending misc. application(s), if any, also stand disposed of.

February 16, 2026

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

(SANJAY VASHISTH)
JUDGE