



CRM-M-50153-2025

-1-

**234 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-50153-2025

Date of Decision: 14.01.2026

Satish Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashutosh Gupta, Advocate, for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.217 dated 17.10.2022, registered under Sections 302, 324, and 201 IPC, at Police Station Kotwali Patiala, District Patiala.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of the complainant, namely, Mahesh Pal. It was alleged that on 16.10.2022, at about 08:30 p.m., he and his elder brother Satinder Pal Sharma (deceased), Karansher Singh and Satish Kumar (petitioner) were sitting on the *takhtposh* lying on the Ram Leela stage at Jodiyan Bhattiyan. Satish Kumar was consuming liquor, which they objected to and asked him not to drink on the Ram Leela stage. This led to a dispute, and Satish Kumar became enraged. Satish Kumar took up a *sua* and attacked on Karansher Singh. Satinderpal Sharma resisted the same, on which Satish Kumar gave multiple blows of *sua* to Satinderpal Sharma. On raising alarm, Satish Kumar escaped from there. Injured were shifted to the Hospital, where, Satinderpal Singh was declared dead. Thus, request was made to take legal action against the accused person. The injured was medico legally examined and postmortem of the dead body was conducted.

The petitioner was arrested on 19.10.2022. On the completion of the



investigation, the challan was presented. The petitioner approached the Court of learned Sessions Judge, Patiala praying for grant of regular bail. However, after hearing both the sides, Patiala learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 21.08.2023. Being aggrieved, the petitioner earlier approached this Court for grant of regular bail by way of filing CRM-M-60112-2023, however, the same was dismissed as withdrawn vide order dated 22.10.2024. Hence, the petitioner has again approached this Court praying for grant of regular bail by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner is behind the bars since the date of his arrest. To buttress his arguments, he has submitted that as per the case of the prosecution, there was one injured, namely, Karansher Singh. He had been examined before the trial Court as PW-7 and has not supported the case of the prosecution and thus, was declared hostile. It is submitted that the petitioner has never been involved in any other case of similar nature. He submits that the material witnesses including the complainant and other eye witness Karansher Singh already stand examined and hence, there is no probability of the petitioner influencing the prosecution witnesses. It is, thus, submitted that in these circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. He has submitted that the deceased suffered nine injuries and the ocular version is medically



corroborated. He submits that though eye witness Karansher Singh resiled, however, the complainant who is also the eye witness, has duly supported the case of the prosecution. On instructions, he submits that out of total 19 prosecution witnesses, 11 witnesses including both the eye witnesses, have already been examined. He has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the present case on 19.10.2022. As per the case of the prosecution, there are two eye witnesses. One eye witness Karansher Singh has not supported the case of the prosecution, whereas, the complainant has supported the case of the prosecution. The custody certificate would show that the petitioner has suffered incarceration of 03 years, 02 months & 21 days as on 13.01.2026. It further shows that the petitioner is involved in two other cases, out of which in one case, he is on bail, whereas, in another he has been released on probation. Out of total 19 prosecution witnesses, 11 witnesses have been examined. However, this Court would refrain itself from commenting anything on merits of the case, however, keeping in view the custody of the petitioner, this Court is of the opinion that the petitioner deserves to be granted concession of bail.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the



CRM-M-50153-2025

-4-

sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

14.01.2026

sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No