

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

210

2026:PHHC:009264



CRM-M-50632-2025 (O&M).  
Date of decision: 22.01.2026.

SUNNY KUMAR @ SANDY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vishnu Dutt, Advocate,  
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

**VINOD S. BHARDWAJ, J. (Oral)**

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.2 dated 18.01.2023, under Section(s) 307, 323, 324, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on), registered at Police Station Daba, District Ludhiana.

The aforesaid FIR was registered on the statement of Manish Kumar son of Rakesh Kumar. The same reads thus: -

*“Statement of Manish Kumar son of Rakesh Kumar, Resident of Street No.01, Adarsh Colony, Daba Lohara Road, Ludhiana, aged about 26 Years, Mobile No.62831844866, stated that I am resident of above said address and do the work of stickers, yesterday on Dated: 17.01.2023, I was standing along with my friends Ravi and Ajay Kumar etc., in Mohalla of my house and Handa, Sandy, Jatt, Mannu and 5/6 unidentified persons came near our Mohalla on motorcycles and started consuming drink there and we stopped them to do the same and above said persons went away from there and it was about 6-7 P.M. and we at about 8 P.M., went there in vacant plot, where we often gathered after getting free from our works and then again above motioned persons came there on motorcycles, who were holding Datar and sticks in their hands and when they came then Jatt gave blow of Datar holding in his hand on my head with intention to kill me and then Handa gave blow of Datar holding in his hand, on my head and because of that I fell down and raised raula "Maar Ditta" "Maar Ditta" and when I was lying down then other unidentified persons inflicted injuries to me and above said assailants after noticing the people collecting at the spot, ran away with their respective weapons on motorcycles from the spot while extending threat to kill me, I became unconscious, if people didn't gather at the spot they would kill me. Bone of contention is that above mentioned persons were restrained to raise noise after drinking in Mohalla, my brother got me admitted in civil hospital Ludhiana for treatment and from there doctor referred me to Sector (GMCH) Hospital, Chandigarh, Ward No.41, where I am under treatment, now I came to know that above mentioned persons have inflicted injuries to my friends Ravi, Ajay Kumar etc. Statement has been got recorded to you, read and heard and is correct Sd/- Manish Kumar, because of injury Manish Kumar affixed his right thumb, acknowledged*

*Statement Ranjit Kumar (in English), Attested ASI, Jatinder Singh number 638/Ludhiana, Police Station Daba, Ludhiana, Dated: 18.01.2023.”*

Learned counsel appearing on behalf of the petitioner contends that the petitioner has undergone an actual custody for a period of more than two years in the present case and only 02 witnesses out of the 14 witnesses cited by the prosecution have been examined so far. He contends that even though the petitioner is involved in three other criminal cases, however, he is already on bail in the said three cases. It is submitted that no specific role has been attributed to the petitioner and the grievous injury sustained by the complainant has been attributed to co-accused who are still in custody.

State counsel, on the other hand, contends that the petitioner has been attributed a grievous injury with a sickle. However, the period of custody already undergone by the petitioner and the stage of the trial are not disputed.

Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by petitioner which is more than two years as well as the stage of the trial where only two witnesses out of 14 witnesses cited by the prosecution have been examined so far, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or

indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

January 22, 2026.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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