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

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**CRM-9270-2026 in/and
CRM-M No.58903 of 2025
Date of Decision: 06.03.2026**

Nikhil Ragra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jupinder Pal Singh Brar, Advocate,
for the petitioner (through V.C.)

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

Mr. S.S. Aviraj, Advocate and
Mr. Karanveer Singh, Advocate,
for the applicant-complainant.

MANISHA BATRA, J. (Oral)

CRM-9270-2026

The application is allowed subject to just exceptions and documents annexed with the same are ordered to be placed on record as Annexures C-1 to C-4.

Main Case

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
180	14.08.2024	Patran, District Patiala	109, 351(3), 324(4), 126(2), 309(4), 191(2) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (117(3) and 118(2) of BNS added later on) and 25 and 27 of Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Amandeep Singh to the effect that he had been in contact with the accused Gurpreet Kaur from the last few years. A dispute had arisen between them which was resolved through common acquaintances. However despite that, Gurpreet Kaur had been extending threats to him. He alleged that on 13.08.2024, he received a call from Gurpreet Kaur who asked him to meet her and then he had gone to meet her near Pir Babaji at Haamjhedi road bypass. He found Gurdeep Kaur to be present there in their Endeavor car. One unknown youth and another girl Golu known to him, were occupants of the vehicle. Gurpreet Kaur and the other occupants, caught hold of him and threatened that they would kill him. In the meanwhile, four youths reached there in a Scorpio vehicle and while damaging his vehicle, inflicted injuries on his person with iron rods and extended beatings to him. He tried to escape by running towards Patra city. He met his friends Ravinder Singh and Daljit Singh on the way. The accused

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reached there and assaulted him with rods. The occupants of Scorpio car also reached there. The petitioner and accused Jasvir Singh along with two unknown youths also opened an assault upon the complainant. The petitioner fired a shot with a pistol at Ravinder singh and thereafter the assailants managed to escape. The complainant and other injured Ravinder Singh were rushed to hospital. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused Jasvir Singh were arrested on 16.08.2024. They were interrogated and suffered disclosure statements on the basis of which some other persons were nominated as additional accused. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injury that has been attributed to him is a firearm injury on the right calf of injured Ravinder Singh. This injury was on non vital part. The same has been opined to be simple in nature. The petitioner had allegedly fired only a single shot. The injury on the person of the complainant has not been attributed to him. He himself had surrendered before the police. He is in custody since long. The trial will take considerable time to conclude as only 05 out of 25 prosecution witnesses have been examined so far. No fruitful purpose would be served by detaining him in custody any more. It is, thus, argued that the petition deserves to be allowed.

4. Per contra, learned Senior Deputy Advocate General, Punjab

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assisted by learned counsel for the complainant has vehemently argued that the allegations against the petitioner are serious in nature as by forming an unlawful assembly with the co-accused and in prosecution of common object thereof, injuries were caused to the complainant and his companion Ravinder Singh. Left leg of the complainant has been amputated due to injury so sustained and he has suffered a permanent disability. The recovery of a firearm and four live cartridges have been effected at the instance of the petitioner. The bail petitions of the co-accused Jasvir Singh and Surinder Singh have been dismissed by this Court. The case of the petitioner is also on the similar footing. There are chances of petitioner's intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, therefore, argued tht the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to be a member of an unlawful assembly with the co-accused who had assaulted the complainant thereby leading to amputation of his left leg. The allegations against the petitioner are that he had fired a shot with a pistol on the person of Ravinder Singh, companion of the complainant. Though the injury sustained by Ravinder Singh on his right leg has been opined to be simple in nature, however, the injuries sustained by the complainant are alleged to have been jointly caused not only by the other accused but the petitioner as well. The allegations prima facie show the active complicity of the petitioner in the commission of

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the subject offences. He has been linked to the crime with the aid of Section 190 of BNS. The ingredients of this provision are that there must be an unlawful assembly, commission of an offence may be by any member of the unlawful assembly; and such offence must have been committed in prosecution of common object of the assembly and must be such as members of the assembly knew to be likely to be committed. It is apparent that even mere presence in the unlawful assembly but with an active mind to achieve the common object, makes a person vicariously liable for the acts of unlawful assembly. Under this provision, the liability of the other members, for the offence committed during the continuance of the occurrence, rests upon the fact whether the other members knew before hand that the offence actually committed or likely to be committed in prosecution of the common object. Such knowledge may be collected from the nature of the assembly, weapon used or behaviour at or before the scene of action. The well settled proposition of law is that while length of incarceration is a factor that weighs with the Court for considering bail, it cannot overshadow the gravity of the accusations. The petitioner's antecedents are also not clean as he is involved in two more cases. Keeping in view the nature of the accusations, the quantum of sentence which the conviction may entail, his antecedents, the fact that the material witnesses are yet to be examined and the other circumstances peculiar to this case, this Court finds no compelling ground to grant bail to the petitioner at this stage. Accordingly, the petition is



dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.03.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No