



CRM-M-60645-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-60645-2025

Decided on :07.04.2026

Dharamvir Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaurav Kalsi, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Munish Puri, Advocate for the complainant.

-:-

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.0072 dated 21.05.2025, under Sections 109, 326(G), 351(2) of BNS (Sections 317(2) and 333 of BNS were added lateron), registered at Police Station Division No.1, District Pathankot.

2. After hearing learned counsel for the petitioner on 07.03.2026, following was recorded:

“1. Mr. Munish Puri, Advocate, puts in appearance through VC mode on behalf of the complainant, and files his vakalatnama in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place in case file.

2. Complainant-Amit Kundra, owner of the petrol pump namely SK Kundra and Sons, got the FIR registered stating that petitioner-Dharamvir Singh, was earlier working at the said petrol pump and had been deputed to look after the accounts relating to the sales. When certain

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discrepancies were detected in the accounts and petitioner failed to provide a satisfactory explanation, complainant dismissed him from service on 15.05.2025.

It is further alleged that on 18.05.2025, at about 5:45 A.M., petitioner came armed with a sickle and threatened to kill the complainant's brother, Rishab Kundra, and nephew, Rajbir Kundra.

It is further alleged that on 22.05.2025, at about 12:30 A.M., an employee of the petrol pump, namely Sanjeev Kumar alias Rinku, telephonically informed the complainant that petitioner was roaming around the petrol pump, holding a sickle in his right hand, and carrying petrol in a polythene bag. Thereafter, petitioner allegedly sat the petrol contained in the polythene bag on fire and threw it towards the petrol pump tank, thereby setting it ablaze, and thereafter, fled from the spot.

3. *Learned State counsel as well as learned counsel for the complainant submits that incidentally, no person suffered any injury in the said occurrence. However, it is submitted that the petrol pump is situated in a thickly populated area and, therefore, the act committed by the petitioner is of a serious nature and cannot be condoned.*

4. *Learned counsel for the complainant has also produced the zimni orders of the trial Court and submits that despite several opportunities having been granted, the defence counsel has failed to cross-examine the material witnesses, namely PW-1 Amit Kundra and PW-2 Rishab Kundra.*

5. *From the perusal of zimni orders, it is noticed that examination-in-chief of the aforesaid witnesses was recorded on 20.11.2025. Thereafter, on the request made by learned defence counsel, their cross-examination was deferred on multiple occasions, namely 11.12.2025, 05.01.2026, 20.01.2026, 03.02.2026, 18.02.2026 and 16.03.2026.*

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6. *It is further noticed that on 18.02.2026, learned defence counsel expressed his inability to proceed with the cross-examination and sought time to move an application for conducting the medical examination of the petitioner, stating that petitioner appears to be a lunatic person.*

7. *This Court is of the opinion that if any such application has already been moved before learned trial Court, it would be appropriate to await the decision on the said application. However, in case, no such application has been moved, medical examination of the petitioner, as sought by learned defence counsel, be conducted from a Government Hospital through the jail authorities, and a report in that regard be submitted to this Court on the next date of hearing.*

8. *List again on 07.04.2026.”*

3. As per the status report dated 02.04.2026, forwarded by the Court of the Learned District and Sessions Judge, Pathankot, both the material witnesses, namely Amit Kundra and Rishav Kundra, have been examined and cross-examined as PW1 and PW2, respectively. Further, as per the opinion of the Psychiatric Specialist, petitioner is presently found to be mentally stable. Out of a total of 12 prosecution witnesses, 2 (the material witnesses) have already been examined.

In view of the aforementioned facts and circumstances, and primarily for the reason that the most material witnesses have already been examined, this Court is of the considered view that no useful purpose would be served by keeping the petitioner in further custody.

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the

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satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq
Magistrate/ Duty Magistrate concerned, if not required in any other case.

4. Any of the discussion done and recorded hereabove, shall
not be construed as an expression of opinion on the facts of the case.
Therefore, trial Court is expected to decide the case by taking an
independent view, on the basis of evidence available on record, as
expeditiously as possible in accordance with law.

5. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No