

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125

2026:PHHC:041736



CRM-M-64086-2025 (O&M).
Date of decision: 17.03.2026.

GAURI SHANKAR

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Brijesh Nandan, Advocate, and
Mr. Aditya Vinayak Bhanot, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, (Section 439 Cr.P.C.) for grant of regular
bail to the petitioner in case bearing FIR No.96 dated 22.05.2017, under
Section(s) 302 and 307 of the Indian Penal Code, 1860, registered at Police
Station Navi Baradari, District Jalandhar.

Learned counsel appearing on behalf of the petitioner contends
that the FIR in the present case was registered on the complaint made by Ajane
Mehboob son of Ajabull. It has been stated that the complainant used to work

as a labourer and reside in the house of his brother Sehbaj who was working as a Contractor. On the date of incident i.e. 22.05.2017, at about 3:30 P.M., he went to meet his brother and found that he was lying on a cot soaked with blood whereas the petitioner Gauri Shankar was holding a datar in his hand and the same was blood stained. On seeing the complainant, Gauri Shankar threw away the datar. Complainant made an attempt to catch hold of Gauri Shankar, however, he ran away from the spot. Counsel contends that the attribution to the petitioner is only on the ground that he was seen holding a datar by the complainant but the complainant did not see the petitioner inflicting any injury.

He contends that, be that as it may, the petitioner has already undergone an actual custody of 08 years and 10 months and that only 16 out of 24 prosecution witnesses have been examined so far.

State counsel, on the other hand, contends that the petitioner is the only accused in the present case. He, however, does not dispute that the petitioner has undergone an actual custody of 08 years and 10 months and that only 08 witnesses out of 24 witnesses still remain to be examined.

Having heard the learned counsel for the parties, without commenting anything on the merits of the present case and taking into consideration the period of custody undergone by the petitioner at this stage, 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.

March 17, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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