

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:008840



330

CRM-M-64528-2025 (O&M)
Date of decision:21.01.2026

Pratik Rai

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sourav Duvedi, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) for grant of regular bail in case arising out of FIR No.125, dated 20.04.2024, registered under Sections 302, 148, 149, 120-B IPC, at Police Station City Kharar, Mohali.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Gagandeep Singh, alleging that on 19.04.2024, the victim Tajinder Sharma @ Teji, who was his friend had told him to accompany to Nijjar Chowk, Kharar by disclosing that some differences had occurred between him and the petitioner as well as Karan, Jama and Dheeraj Kumar and he wanted to reconcile the matter. The

complainant along with the victim had reached at the Nijjer Chowk in the swift vehicle of the victim. The petitioner had also reached there along with the co-accused sometime thereafter. They had indulged into conversation which turned into heated arguments and then the petitioner as well as the co-accused caught hold of the victim and gave fist blows to him. The petitioner struck a blow with a sharp edged weapon i.e. *kirch* in the abdomen of the victim. When the complainant tried to rescue him, he too was assaulted by the petitioner. The victim had fallen down. On clamour being raised, some persons had reached at the spot and then the assailants fled away. The victim was rushed to the hospital but died during the course of treatment. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 11.06.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 11.06.2024. The trial will take considerable time to conclude. The complainant Gagandeep Singh has not identified him as one of the assailants. No recovery has been got effected from him. Co-accused Dheeraj Kumar has been extended benefit of regular bail. Another accused, who is a juvenile in conflict with law, has also been extended benefit of bail. His further incarceration would not serve any useful purpose. The trial will take considerable time to conclude. It is, therefore, argued that he deserves to be released on bail.

4. Learned State Counsel has argued that taking into consideration the gravity of the allegations as levelled against the petitioner, the fact that one of the co-accused is yet to be arrested and other material witnesses are yet to be examined, the petitioner does not deserve to be released on bail.

5. This Court has heard rival submissions made by both the parties.

6. The petitioner along with the co-accused is alleged to have assaulted the victim within the sight of the complainant as on 19.04.2024 and is further alleged to have caused his homicidal death. The petitioner has placed on record Annexure P-2, which is a certified copy of sworn deposition of the complainant-Gagandeep Singh as recorded before the learned trial Court, a perusal of which reveals that he has not made any allegations as against the present petitioner and has disclosed that it was co-accused Dheeraj Kumar, who had struck blows with a knife on the person of the victim, thereby causing his death. He is also shown to have stated that the petitioner was not accompanying the other assailants at the time of the occurrence and he had neither taken his name nor had attributed any act to him. Though, the petitioner was named in the FIR, however, taking into consideration the nature of the evidence that has come on record in the form of testimony of the complainant, the fact that co-accused Dheeraj Kumar has already been extended benefit of bail, the period spent by the petitioner in custody and the attendant facts and circumstances, this Court is of the considered opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

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

and shall not influence the outcome of the trial.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

21.01.2026

harjeet

(MANISHA BATRA)
JUDGE

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