

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

2026:PHHC:022799



CRM-M-67791-2025 (O&M)

Date of decision: 13.02.2026.

ASHOK KUMAR @ SHOKI

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Ambar Singh Pahwa, Advocate, and
Mr. Harsh Thakur, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.145 dated 04.11.2024, under Section(s) 115(2), 126(2), 351(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (Section 109 and 111 of the BNS, 2023 added later on), registered at Police Station Division No.8, Police Commissionerate, District Ludhiana.

The aforesaid FIR was registered on the statement of complainant

Ajay Kumar son of Sh. Chaman Lal, which reads as under: -

“As per the prosecution story, the present FIR was registered on the statement of complainant Ajay Kumar S/o Shri Chaman Lal r/o House No. 53, near Kala Singha, Haibowal Kalan Ludhiana, age about 47 years Mob. No. 78378-98980 alleging therein on dated 02.10.2024 at around 12 PM he with my friends Harsh, Shiv Kumar, Sandeep Kumar were gathered near Rose Garden to celebrate birthday of Chetan Malhotra, then Vijay alias Monu resident of Haibowal, Sonu resident of Haibowal Ludhiana, Ashok Kumar alias Shonki (petitioner herein) resident of Sangam Chowk, Tarun resident of Jalandhar, Rohit Bains alias Jaggi resident of Dhobi Ghat near KVM. School Ludhiana, Suraj Chohan, Ravi Sahota resident of Chander Nagar Ludhiana, Neeraj Chohan resident of Haibowal Ludhiana and some 08-10 unknown boys riding on their respective vehicles, among whom was the brother of the said Vijay, Sonu, who had sharp weapons like daggers, kirpans, baseballs, khandas, started attacking my said friends Harsh, Shiv Kumar and Sandeep Kumar. Sandeep was hit on the head with Daat, attacked his aforementioned friends Harsh and Shiv Kumar on their head with swords. When the complainant went forward to stop them, they hit him on the head with Daat. They snatched his gold chain which was worth 02 tolas and took away his and his friend Chetan Malhotra's 02 phones, first phone brand-Samsung, colour-grey and second phone brand-Oppo colour-black. In the first phone 02 SIMS whose numbers are 78888-49349, 78378-98980 and in the second phone also 02 SIMs whose numbers are 9888896889, 9877495593 are running. After beating them the assailants fled from the spot threatening to kill threatening. Thereafter they were taken to hospital.”

Learned counsel for the petitioner contends that as per the allegations, the petitioner along with his co-accused was armed with datar, swords, baseball bat and Khanda and attacked the complainant and his friends. He submits that, however, no recovery of any nature whatsoever has been effected from the petitioner. He contends that the petitioner is in custody since 24.02.2025 and has already undergone an actual custody for a period of nearly one year. He contends that since no prosecution evidence has been recorded so far, the conclusion of trial shall take long. He further contends that co-accused of the petitioner namely Kabir Bali and Neeraj Kumar have already been granted the concession of regular bail by this Court vide orders dated 13.11.2025 and 16.12.2025 passed in CRM-M-62821-2025 and CRM-M-67780-2025 respectively.

State counsel does not dispute that the trial has not yet commenced in the present case and no witness has been examined so far. Custody period undergone by the petitioner as well as the fact that the co-accused of the petitioner have been granted the concession of regular bail is also not disputed.

Having heard the learned counsel for the parties and taking into consideration the nature of the allegations levelled against the petitioner, the period of custody undergone by him, the stage of the trial where the prosecution evidence is yet to commence and bearing in mind that co-accused of the petitioner namely Kabir Bali and Neeraj Kumar have already been granted the concession of regular bail by this Court vide orders dated 13.11.2025 and 16.12.2025 passed in CRM-M-62821-2025 and CRM-M-67780-2025 respectively, 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.

February 13, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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