



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

126

CRM-M-70269-2025 (O&M)
Date of decision: 17.03.2026

Sorav alias Sourav

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. V.P. Singh, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr. A.P. Singh Rathore, Advocate for the complainant

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.181 dated 03.08.2024, registered under Sections 109(1), 118(1), 118(2), 238 & 3(5) BNS, at Police Station Model Town, District Hoshiarpur.

2. Learned counsel contends that the petitioner has been in custody for 1 year, 6 months and 17 days. His name surfaced based on the disclosure statement co-accused Sukhpreet Singh @ Sukha, who as per the complainant, had initiated the fight and has been granted regular bail by this Court vide order dated 11.03.2026, after being in custody for 1 year, 5 months and 11 days. The matter stands compromised between the parties on 02.03.2026, copy whereof has been produced in Court and taken on record as Mark-A. Charges have been framed on 03.02.2025 and 3 Pws, including the complainant and injured have been examined-in-chief, out of 12. He is involved in 1 more case under Section 323 IPC, wherein he is not the main accused and is on bail. Reliance is placed



on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 16.03.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 1 year, 6 months and 17 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner are of having caused grievous injury to the complainant and injured-Rajeev Kumar. However, he is unable to controvert with regard to stage, co-accused having been granted and petitioner being on bail in another case.

5. Learned counsel appears for complainant-Avtar Singh and injured-Rajeev Kumar affirms the factum of compromise and has no objection for grant of bail to the petitioner.

6. Heard.

7. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

8. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 1 year, 6 months and 17 days; on bail in another case; co-accused is on bail; charges stand framed on 03.02.2025 and out of 12 PWs, only 3 have yet been examined-in-chief, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of



his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

9. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

10. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.



11. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

17.03.2026

M.Kamra

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