

PBSA010083382025



Presented on : 28-08-2025
Registered on : 28-08-2025
Decided on : 04-09-2025
Duration : 0 years, 0 months, 7 days

**IN THE COURT OF
Additional District and Sessions Judge-2
AT Mohali, S.A.S Nagar
(Presided Over by Mrs. Neetika Verma)**

BA/3046/2025

1. Raman Kumar, aged about 40 years, son of Mahinder Singh, resident of Village Samgauli, SAS Nagar.
2. Chaman Parkash, aged about 34 years, son of Mahinder Singh, resident of Village Samgauli, SAS Nagar.

.....Accused/petitioners

Versus

State of Punjab.

.....Respondent

(Second Bail application under Section 482 of BNSS)

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FIR No. : 81 dated 21.04.2016
Under Section : 307, 323, 324, 447, 511, 148, 149 of
IPC
Police Station : Dera Bassi, District SAS Nagar.

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Present : Sh. D.S. Dhaliwal, Advocate for accused-applicants.
Sh. Sukhwinder Singh, Additional Public Prosecutor for
the State.

ORDER

The accused/applicants Raman Kumar and Chaman Parkash have filed the present second petition under Section 482 of

(Neetika Verma, ASJ/JSC, SAS Nagar UID no. PB0209)

BNSS contending that an application under Section 216 of Cr.P.C for addition of Section 307 of IPC has been filed by the prosecution and there is likelihood that the said Section may be added and the accused/applicants may be arrested. Therefore, they have prayed that they be admitted on anticipatory bail under Section 307 of Cr.P.C. as well.

2. Notice of the same was given to the State. Learned Additional PP for the State put in appearance and objected to the same.

3. Judicial record has also been perused. Perusal of the judicial record transpires that the charge against the accused/applicants was framed on 01.03.2018, which was later on amended on 18.11.2019. The accused/applicants were charge-sheeted under Sections 148, 323 read with Section 148 of IPC, 324 read with Section 148 of IPC and Section 447 read with Section 511 of IPC, to which they pleaded not guilty and claimed trial.

4. The accused faced trial and the case was fixed up for the statements of the accused under Section 313 of Cr.P.C. when the application for amendment of charge under Section 216 of Cr.P.C. was moved by the prosecution. Since the accused/applicants have been appearing before the Court on each and every date of hearing and had never misused the concession of bail and had faced the trial in its entirety on the facts and circumstances, which after the evidence of the prosecution requires amendment, the Court is of the opinion that no further investigation as such is required and no useful purpose will be

served by detaining the accused/applicants in custody. Relying upon the ratio of law laid down by the Hon'ble Supreme Court of India in case titled as, **"Pradeep Ram Vs. State of Jharkhand & anr, 2019 SCC Online SC 825**, wherein the Hon'ble Supreme Court of India had held that where the accused is already on bail, on addition of offence or offences, the accused cannot be arrested. It had further been held that a person against whom serious offences have been added, who is already on bail, can apply bail for newly added offences before the Court concerned and the Court in exercise of its power can grant bail to him.

5. Perusal of the record transpires that the accused/applicants were already on bail and they have faced trial on the same factual matrix in which after conclusion of prosecution evidence, it appears that Section 307 of IPC is required to be added by way of amendment of charge. Since the accused were already on regular bail, hence, the present bail application stands allowed and the accused/applicants are directed to surrender before the Trial Court on 10.09.2025 and the bail bonds and surety bonds already furnished by them be considered as bail bonds and surety bonds furnished under Section 307 of IPC as well. The application stands disposed of accordingly. Papers be attached with the main case file pending of 10.09.2025.

Pronounced in open court
Dated: 04.09.2025

Tajinder Singh

(Neetika Verma),
Additional Sessions Judge
SAS Nagar/UID-PB0209

Raman Kumar & anr. Vs. State of Punjab

BA-3046-2025

Present : Sh. D.S. Dhaliwal, Advocate for accused-applicants.
Sh. Sukhwinder Singh, Additional Public Prosecutor for
the State.

Judicial record received and perused. Arguments heard.
Vide my separate detailed order of even date, the present bail
application has been allowed. Papers be attached with the main case
file pending of 10.09.2025.

Pronounced in open court
Dated: 04.09.2025

(Neetika Verma),
Additional Sessions Judge
SAS Nagar/UID-PB0209

Tajinder Singh