

**IN THE COURT OF EKTA UPPAL, ADDITIONAL SESSIONS JUDGE-  
CUM-JUDGE, SPECIAL COURT, PATHANKOT (UID NO.PB00301)**

CIS No.BA/1594/2025  
CNR No.PBPO010055812025  
Date of Institution:07.11.2025  
Date of Decision:18.11.2025

**Sanjay Sharma** aged about 21 years son of Jai **Versus** State  
Nath, resident of 151, Ward no.25, Dhaki,  
Pathankot.

**FIR No.166 of 14.10.2025.**  
**U/Ss 109, 115(2), 118(1), 126(2), 190, 191(3) of**  
**BNS.**  
**PS Sujanpur, Pathankot.**

Present: Sh. Vishal Kohli, Advocate counsel for applicant/accused  
Sanjay Sharma.  
Ms. Ambica Gupta, Ld. APP for the State.

**ORDER:-**

1. This order of mine shall dispose of bail application filed under Section 483 of BNS for regular bail.
2. Concisely stating the version of applicant as mentioned in the bail application is that applicant/accused has been in custody since much time and all the investigation has been got completed. Applicant/accused has not committed any offence. As per averments, no offence has been committed by the applicant/accused. No useful purpose would be served by keeping the applicant/accused behind the bars. Hence, the present regular bail application.
3. To counter the version of applicant, the learned Addl. PP for the State has relied upon the prosecution version in the FIR and police record.
4. Perused. Perusal of the file shows that as per prosecution version, the FIR has been lodged by complainant Pawan Kumar who works in Punjab Police and on 13.10.2025, after leaving his office, he went with his friends namely Pawan Kumar and Jiwanjot Singh to DOWNTOWN 44 in their car to have some tea and water. Further as per

prosecution version, when they were returning back from there in the car, applicant/accused Sanjay Kumar along with co-accused persons namely Yuvi, Ganesh, Keshav and one unknown person stopped their car (driven by Amit Kumar, complainant Pawan Kumar was sitting on non-driving seat and Jiwanjot Singh was seating on back seat of the car) outside the Downtown 44, then co-accused unknown raised exhortation and further accused party attacked the complainant party. As per prosecution version, the reason for the enmity is that an unknown boy had an argument with the friend of complainant namely Jiwanjot Singh, at the time when they were taking their car out of the parking lot. The details of injury caused to complainant party by accused persons are as follows:-

| Sr. No. | Name of accused | Allegations                 | Weapo ns | Injury caused to                                                  | Part on which injuries inflicted                                                                                                                     |
|---------|-----------------|-----------------------------|----------|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | Yuvi            | Lalkara, injuries, beatings | Datar    | Complainant (with intention to kill him)                          | Left side of his head, a little above the ear.<br>Attacked on the back of complainant when he was lying on the ground but he managed to save himself |
| 2.      | Ganesh          | Lalkara, beatings           | --       | Complainant                                                       | Gave kick blows when he was lying on the ground                                                                                                      |
| 3       | Sanjay          | Lalkara, beatings           | --       | Amit Kumar alias Ammy and Jiwanjot Singh (friends of complainant) | Gave beatings and fist blows to them                                                                                                                 |
| 4       | Keshav          | Lalkara, beatings           | --       |                                                                   |                                                                                                                                                      |
| 5       | Unknown         | Lalkara, beatings           | --       |                                                                   |                                                                                                                                                      |

5.           Thereafter, accused party ran away from the spot. As per MLR, the one injury, which was caused with the sharp edged weapon, kept under observation. The only injury with sharp edged weapon is alleged on the part of co-accused Yvui. However, the medical report regarding the injury being dangerous to life is not on the file. The only allegation against present applicant/accused are regarding raising lalkara, giving fist blows and beatings to the persons accompanying the complainant as detailed above. Nothing is to be recovered from the

applicant/accused. Applicant/accused has been in custody since 16.10.2025. No useful purpose would be served by keeping him behind the bars. Hence, there is no impediment to grant the concession of regular bail to the applicant/accused.

6. Further, there is settled principal of law “Bail is a rule, jail is an exception” as define in Hon’ble Apex Court judgment passed in ***Dataram Singh Vs. State of Uttar Pradesh and another, (2018) 3 SCC 22***. Moreover, it will take time to conclude the investigation, present challan and conclude the trial. Hence, in view of the above discussion, applicant/accused is ordered to be released on regular bail, subject to furnishing fresh bail bonds in the sum of ₹ 50,000/-with one surety of the like amount before the **learned Illaqa Magistrate/Duty Magistrate, Pathankot** subject to the following conditions:-

*i) that he shall attend the court on each and every date of hearing;*

*ii) that he will not leave India without prior permission of the trial court;*

*iii) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;*

*iv) The furnishing of above bonds shall be deemed acceptance that once the trial begins, the applicant shall not, in any manner, try to delay the proceedings, and undertakes to appear before the concerned Court and to attend the trial on each date, unless exempted. In case of an appeal, on these very bonds, the applicant also promises to appear before the higher Court in terms of Section 481 BNSS.*

*v) The accused as well as surety shall submit atleast two of the following documents at the time of furnishing the bonds:*

- (a) Passport,*
- (b) Pan Card Copy,*
- (c) Bank Passbook,*
- (d) Credit Card with photograph,*
- (e) Ration card,*
- (f) Electricity bill,*

*(g) Landline telephone bill,  
(h) Voter ID Card issued by the Election  
Commission of India,  
(i) Property Tax Register,  
(j) Aadhaar Card.*

*vi) The accused as well as surety shall inform the police  
authorities as well as court about the change of his/her  
residential address, if any.*

6. Copy of this order be sent to **learned Illaqa Magistrate/Duty  
Magistrate, Pathankot** for compliance. The present regular bail application  
is allowed and disposed of accordingly. This order will have no bearing  
for any future added offence, if any. Nor it will have any effect on the  
merits of the case. The police file be returned and bail application file  
be consigned to Record Room.

**Pronounced in open Court:**

**Dated :18.11.2025.**

Anshul SG.III

**Ekta Uppal,  
Additional Sessions Judge-I,  
Pathankot.UID/PB0301**

"I attest to the accuracy and  
authenticity of this document".