



2026:PHHC:061848



118 (2nd case)

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

CRM-M-17185-2026

Sonu

....Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: April 23, 2026

Date of Uploading: April 23, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Judgepreet Singh Warring, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Gursheer Singh Dhillon, Advocate and
Mr. Harlove Singh Rajput, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner, in case FIR No.213 dated 19.08.2025, registered under Sections 109(1), 308(5), 324 and 351(3) of the BNS, 2023 and Section 25 of the Arms Act, 1959, at Police Station Sohana, S.A.S. Nagar, Mohali.

2. The gravamen of the FIR in question is that on 31.07.2025, Saravpreet Singh, received a WhatsApp call from an international number. The caller identified himself as Lucky Patial and demanded ₹50 lakhs as extortion, threatening harm to him and his family in case of non-payment.



Following this, Saravpreet Singh lodged a complaint with the SSP, Mohali, and an inquiry was initiated by the CIA Staff, Mohali.

Subsequently, on 19.08.2025 at approximately 4:45 AM, while he was asleep at his residence, he heard gunshots fired at the main gate. Upon looking outside, he observed two individuals with cropped hair standing near a motorcycle. The pillion rider was holding a pistol. He stated that he would be able to identify the assailants if presented before him. When he stepped outside the gate, he noticed that a Verna car bearing registration number PB-11-DC-4621 had sustained 4–5 bullet marks and was damaged. The assailants had fired shots with the intention to kill him. He believes that the said incident was orchestrated by Lucky Patial.

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 29.08.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has submitted that police has now nominated the FIR-complainant as an accused in the case. Learned counsel has further submitted that, though the police has removed Section 109 of the BNS (erstwhile Section 307 of the IPC), it is a case of no injury. Learned counsel has asserted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 21.04.2026, in the Court today, which is taken on record.



5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 29.08.2025, whereinafter investigation was carried out and challan *qua* the petitioner stands presented on 24.10.2025. Out of total 27 cited prosecution witnesses, none has been examined till date. It is, thus, indubitable that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 21.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 07 months and 18 days.

6.2. Further, as per the said custody certificate, the petitioner is stated to be involved in other FIR(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*, a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022



titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and

Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.



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10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 23, 2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No