CNR No: PHHC010835512026
2026:PHHC:127814

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

CRM-M-28388-2026
Date of Decision: 10.09.2026

GHANHIYA **... PETITIONER**

VERSUS

STATE OF PUNJAB **...RESPONDENT**

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vaibhav Sharma, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

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JASJIT SINGH BEDI, J.

The prayer in the present petitions under Section 483 BNSS is for the grant of regular bail in case bearing FIR No.113 dated 13.06.2024 registered under Sections 302, 148 and 149 of IPC at Police Station Kotwali, District Patiala.

2. Learned counsel for the petitioner contends that all the material witnesses have turned hostile. They have not even identified any of the accused in the CCTV footage of the alleged place of occurrence. As the petitioner is in custody since 21.01.2026 but only 04 of the 29 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon, and therefore, he be granted the concession of regular bail, moreso when co-accused namely Harjit Singh, Rajinder Singh @ Raju, Uday Khan and Sandep Singh @ Ravi @ Lipsy have been granted the concession of bail vide orders dated 30.03.2026 and 22.04.2026.

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3. The learned counsel for the State has filed custody certificate and the same is taken on record. He contends that the CCTV footage of the area around the place of occurrence would show that while Harjit Singh and Rajinder Singh @ Raju were armed with bottle crates, Uday Khan was armed with bricks and the petitioner was unarmed. The nature of the allegations does not entitle him to the concession of bail. He however concedes that the petitioner is in custody since 21.01.2026, that 05 material witnesses have been examined all of whom have turned hostile and that co-accused namely Harjit Singh, Rajinder Singh @ Raju, Uday Khan and Sandep Singh @ Ravi @ Lipsy have been granted the concession of bail vide orders dated 30.03.2026 and 22.04.2026.

4. I have heard the learned counsel for the parties.

5. Admittedly, when the material witnesses including the *bua* of the deceased-Kuldeep Kaur were examined, they have not supported the prosecution case. They have not identified the petitioner even when the CCTV footage was put to them during cross-examination. Whether the remaining evidence available against the petitioner is sufficient to establish his culpability shall be adjudicated upon during the course of the trial. The petitioner is in custody since 21.01.2026 but only 04 of the 29 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required, moreso when co-accused namely Harjit Singh, Rajinder Singh @ Raju, Uday Khan and Sandep Singh

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@ Ravi @ Lipsy have been granted the concession of bail vide orders dated 30.03.2026 and 22.04.2026.

6. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner-Ghanhiya S/o Sudesh Kumar is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. The petition stands disposed of.

8. All the pending miscellaneous applications, if any, stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

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

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