IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(212)

CRM-M-38735-2026 (O & M)
Date of decision:11.09.2026

Shakti Sagar .... Petitioner

V/s

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ritesh Pandey, Advocate, for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

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JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 483 BNSS (Section 439 Cr.P.C.) is for the grant of regular bail to the petitioner in case FIR No.78 dated 11.07.2025 under Sections 103(1), 109, 126(2), 3(5) BNS, later on added Sections 115(2), 118(1), 118(2), 238 BNS added) (Sections 302, 307, 341, 120-B IPC, later on added Sections 323, 324, 326, 201 IPC) registered at Police Station Sadar Pathankot, Distt. Pathankot.

2. The learned counsel for the petitioner contends that one Joginder Pal alias Baggi has caused injuries on the deceased-Suraj. A co-accused/Bunty Kumar @ Ajay Kumar and Shakti Sagar (petitioner) have caused injuries on the person of Rakesh Kumar. The said injuries are simple in nature. Bunty Kumar @ Ajay Kumar has been granted the concession of bail by this Court vide order dated 07.05.2026 (Annexure P-3). As the

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petitioner is in custody since 12.07.2025 but only 02 out of the 36 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail as well.

3. The learned counsel for the State, on the other hand, has filed a reply dated 10.09.2026 which is taken on record. While referring to the said reply, he does not dispute the factual aspect that the petitioner has been attributed simple injuries on Rakesh Kumar, that a similarly situated co-accused, namely, Bunty Kumar @ Ajay Kumar has been granted the concession of bail, that the petitioner is in custody since 12.07.2025 and that only 02 of the 36 prosecution witnesses have been granted the concession of bail.

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

5. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 12.07.2025 and only 02 of the 36 prosecution witnesses have been examined so far. Therefore, the Trial in 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 a similarly situated co-accused/Bunty Kumar @ Ajay Kumar has been granted the concession of bail.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner, namely, Shakti Sagar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

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7. This petition stands disposed of.

8. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

September 11, 2026
sukhpreet

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

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