



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14722-2025

Reserved on: 24th April, 2025

Pronounced on: 28th April, 2025

Aniket Kumar @ Anikit Kumar @ Rajat

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Gupta, Advocate for the petitioner.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 37 dated 24.05.2024 registered under Sections 307, 379-B, 323, 324, 341, 427, 506, 148 and 149 of IPC (Sections 325 and 326 of IPC added later on) at Police Station Sanaur, Patiala, Punjab.

2. Brief facts of the case relevant for the purpose of instant petition are that on 24.05.2024, on receipt of an information regarding admission of the complainant Gurpreet Singh in hospital in an injured condition, a police party reached there and after obtaining opinion of doctor as to the fitness of the victim, recorded his statement who alleged that on 23.05.2024, he was on the way to his home on his car, when a car bearing



registration No. DL-3CBJ-0826 which was driven by accused Amritpal Singh Virk and in which the petitioner and co-accused were sitting, started following him. The occupants of the car stopped his vehicle near Urban Estate lights by hitting the side of his car with their vehicle. They blocked his way. The apprehending danger, the complainant increased the speed of his car but the same was got stopped near Nanaksar Gurdwara by the petitioner and others. They hit the backside of his car with their vehicle and encircled him. Thereafter, the petitioner and his brother dragged him outside from his vehicle. The petitioner made an exhortation to not to spare the complainant and then, all of them opened an assault upon him. One more car, in which 3-4 unknown youths were riding along with accused Balpreet Singh @ Kaku had also reached there in the meanwhile and the occupants of that car also had assaulted the complainant. The petitioner struck a blow with knife towards his head but the same eventually injured the fingers of the complainant. Thereafter, the petitioner and co-accused Rahul struck multiple injuries with knife on his left thigh. The others also caused injuries to him. He had fallen down and raised clamour, which attracted the passersby and then the assailants fled while snatching his mobile phone and extending threats to him. The complainant alleged that the cause of grudge was that on 19.05.2024, the petitioner along with co-accused Rahul and Amritpal Singh had an altercation with Rahul, a friend of the complainant and he had helped his friend in the incident. He was taken to hospital. The aforementioned FIR was registered. The petitioner was arrested on 01.10.2024. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has



been falsely implicated in this case. Infact, the complainant along with his accomplices had extended beatings to him on 20.05.2024. An FIR bearing No. 82 was registered against the complainant and his accomplices on that very day. The FIR of this case was a counter blast to the same. The petitioner was admitted in Rajindra Hospital on 20.05.2024 and was given treatment as he had sustained injuries. He suffers from physical disabilities as he had met with an accident in 2010 and is unable to normally move, walk and sit and therefore, the question of his participating in the occurrence was not made out. The complainant has criminal antecedents and several cases have been registered against him. The complainant has effected compromise with four out of the seven persons named in the FIR and those compromises have been executed in the writing. The injuries sustained by the complainant are not fatal and none of these injuries have been declared to be dangerous to life. Most of the injuries have been declared to be simple except two, which are opined to be grievous in nature. He is in custody since long. The trial would take time to conclude. His further incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. *Per contra*, learned State counsel has argued that keeping in view the allegations levelled against the petitioner, he does not deserve to be released on bail.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful



assembly is alleged to have caused simple as well as grievous injuries to the complainant and is alleged to have snatched his mobile phone from him. The injuries so sustained have not been opined to be dangerous to life. The petitioner is in custody since 01.10.2024. Investigation has been concluded. Trial would take time to conclude as none of the prosecution witness has been examined so far. No useful purpose would be served by keeping him in custody anymore. Keeping in view the discussion as made above but without meaning to make any comment on the merits of the case lest the same prejudices either of the parties, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

28th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No