



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252

CRM-M-33367-2025
Date of decision: 7th July, 2025

Amrik Singh @ Mika

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Kumar Garg, Advocate for the petitioner.

Mr. Roshandeep Singh , Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

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. 60 dated 16.04.2025 registered under Sections 117(2), 126(2), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 110 of BNS added later on) at Police Station Koom Kalan, District Police Commissionerate, Ludhiana.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Rohit alleging therein that on the night of 11.04.2025, he was going towards the house of his friend Satnam Singh @ Vicky to drop him. When on the way, they were intercepted by the accused Rahul and Baljeet Singh, who stopped their vehicle and had a verbal



altercation with the complainant. In the meanwhile, 4-5 persons unknown to the complainant also reached there and started quarreling with him. The accused Baljeet Singh, on instructions of accused Rahul brought an iron *datt* from his house and struck a blow with the same on his head. The complainant fell down. Accused Rahul and the unknown persons caused injuries to him with brick, stones and by kicking him. The complainant was rushed to hospital. After registration of FIR, investigation proceedings were initiated. The complainant recorded a supplementary statement on 02.05.2025, on the basis of which, the present petitioner was nominated as an accused, on the allegations that he had caused injuries to the complainant resulting into multiple fractures and injuries on head. He was arrested and is in custody since 03.05.2025. Investigation qua him stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR and his name was taken by the complainant after a gap of twenty days from the date of occurrence, which shows that a false story qua his involvement in the crime had been concocted. Infact, on the fateful night, the complainant alongwith Satnam Singh, who is cousin of the petitioner and with whom he was having strained relations had come near his house and in order to tease the family of the petitioner, had started blowing hooter of the vehicle. The family members of the petitioner had tried to prevail good sense upon the complainant and his companions, but they had abused his family members. A fight had taken place and then the complainant and other had left. The FIR was lodged after a gap of five days. He is in custody since 03.05.2025. His further incarceration would not serve any useful purpose. The subject



offences are triable by Magistrate. It is, therefore, argued that he deserves to be extended benefit of bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. He has placed on record copy of custody certificate of the petitioner and has argued that there are specific allegations against the petitioner and therefore, he does not deserve to be extended benefit of bail.

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

7. The petitioner along with the co-accused is alleged to have wrongfully restrained the complainant and is further alleged to have voluntarily caused injuries to him and to have criminally intimidated him. He is in custody since 03.05.2025. The offences for which the petitioner has been booked are triable by Magistrate. Investigation and trial would take time to conclude. His further incarceration would not serve any useful purpose. No specific injury has been attributed to him and he was not even named in the FIR. There is also delay in reporting the matter to the police. Keeping in view the afore-discussed facts, but without meaning to make any comment on the merits thereof, 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/trial/ Duty Magistrate concerned.

8. Before concluding, this Court finds it proper to mention that the



learned Judge of Special Court, Ludhiana had decided the bail application of the petitioner vide order dated 09.06.2025/ However, she wrongly treated this application as application for grant of anticipatory bail instead of regular bail and dismissed the same. A copy of this order be sent to the concerned Court so that such like mistakes are not committed in future.

[MANISHA BATRA]
JUDGE

7th July, 2025
Parveen Sharma

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