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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-62118-2025****Date of decision: 20.11.2025**

AMIT KUMAR

....Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Dilraj Singh Bhinder, Advocate
for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is the first petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.155 dated 15.09.2025, registered under Sections 109/126(2)/115(2)/3(5) of BNS, 2023 (Section 117(2) of BNS added later on) at Police Station Nathana, District Bathinda.
2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.
3. The present case was registered on the basis of statement given to the police by Satnam Singh with the allegations that after finishing his duty in the tile factory, he was bringing Lalia's tractor and was going towards his home at about 09.20 PM. He went to market to purchase vegetables and after purchasing vegetables, when he started moving the tractor, he experienced darkness in front



of his eyes and lost control over the tractor which collided with the fruit cart parked in the market. The cart got damaged and the cart owner (petitioner) started abusing him and climbed on the tractor and hit him with some sharp object on the right side of his head above the ear. Then some other unknown persons also caused injuries to him on his body as well as left elbow and he fell on the seat of the tractor. Thereafter, some unknown persons informed his family and he was taken to the hospital. Petitioner was arrested on 17.09.2025.

4. Learned counsel for the petitioner contended that as per allegations in the FIR, the complainant was driving his tractor and he suffered a blackout as a result of which his tractor hit the cart of the petitioner. Thereafter, a quarrel took place and petitioner allegedly started abusing him and climbed on the tractor and hit him with a sharp object on the right side of the head. Some other unknown persons also caused injuries to him. Learned counsel next contended that petitioner Amit Kumar has also suffered injuries at the hands of the opposite party and one DDR has been registered in this regard. Infact, it is the complainant, who was the aggressor and had assaulted him for not giving discount on the purchase of fruits being sold by him. Learned counsel next contended that no offence under Section 109 of BNS is made out as no injury has been declared as dangerous to life and victim has merely suffered a fracture on his nose, which is grievous in nature. Petitioner is in custody since 17.09.2025. The investigation and trial will take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he may be released on bail.

5. On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, he does not deserve the benefit of bail.



6. No injury on the person of victim has been declared dangerous to life and he has suffered a fracture in his nose, which is grievous in nature. As to whether offence under Section 109 of BNS will be attracted or not shall be a moot question during the trial. Petitioner is in custody since 17.09.2025. Co-accused Shiv Kumar has been released on ad-interim anticipatory bail by this Court vide order dated 06.11.2025. The investigation and trial will take sufficiently long time to conclude and further detention of the petitioner is thus not required and he deserves to be released on bail.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

8. Pending misc. application(s), if any, shall also stand disposed of.

20.11.2025

Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No