

2026:PHHC:054343



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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-4953-2026 (O&M)
Date of Decision: 08.04.2026
Date of Uploading: 08.04.2026

Aman and another

.....Petitioners.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Davinder Singh Saini, Advocate
for the petitioners.

Mr. Adhiraj Singh Thind, AAG, Punjab.

Mr. Bharat Kumar, Advocate
for the complainant.

SUMEET GOEL, J.(Oral)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioners in case FIR No.108 dated 31.07.2025 under Sections 115(2), 117(2), 351(2), 191(3) and 190 of the BNS, 2023 [Sections 109 and 238 of the BNS, 2023 added subsequently], registered at Police Station City Morinda, District Rupnagar.

2. The gravamen of the allegations levelled against the petitioners is that the FIR in question was registered on the statement of

complainant Jeet Kumar son of Ashok Kumar wherein he has stated that he is a scrap dealer by profession. His neighbour, namely, Shinda has a pet dog in his house. The said dog tried to bite the nephew of the complainant. When the complainant rescued his nephew from the pet dog of Shinda, Aman and Akash (petitioners herein) along-with Jonti, Sahil, Shinda and elder brother of petitioner Akash armed with *Kirpan* etc. came there. The elder brother of petitioner Akash gave *Gandasi* blow on the person of complainant which hit on the left side of his head. Then, petitioner Akash again gave a *Kirpan* blow on the head of complainant. Petitioner Aman also gave a *Danda* blow on the person of complainant which hit on his head. Besides this, petitioner Akash also gave a *Kirpan* blow on the person of Kajal, sister-in-law of complainant, who tried to rescue the complainant. Thereafter, both the petitioners along-with their co-accused fled away from the spot with their respective weapons. The complainant was brought to the CHC, Morinda for his treatment. It is also alleged that the accused persons attacked the complainant-side by hatching a criminal conspiracy with an intention to kill the complainant.

3. Learned counsel for the petitioners has argued that the petitioner are in custody since 01.10.2025. Learned counsel has further argued that the petitioners have been falsely implicated into the FIR in question. Learned counsel has further submitted that compromise has since been arrived at between rival private parties, terms whereof have been reduced into writing vide compromise-deed dated 24.02.2026 (copy thereof

has been annexed with the present petition as Annexure P-6). Learned counsel has further submitted that the petitioners are young men aged 24 years and 21 years respectively, with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed the status-report by way of affidavit of Gurjit Singh, PPS, Deputy Superintendent of Police, Morinda, District Rupnagar, in Court today. The same is taken on record. Raising submissions in tandem with the said status-report, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioners do not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificates dated 07.04.2026 in Court, which are taken on record.

5. Learned counsel for the complainant has ratified the aspect of the matter having been settled between the parties.

6. I have heard counsel for the rival parties and have gone through the available records of the case.

7. The petitioners came to be arrested on 01.10.2025 whereinafter investigation was carried out and Challan was presented on 30.12.2025. Total 13 prosecution witnesses have been cited but one has been partly examined till date as even the charges have not been framed. It is thus indubitable that culmination of trial will take long time. The rival contentions; including the veracity/weightage required to be attached to the compromise-deed dated 24.02.2026 (Annexure P-6); shall be gone into at appropriate stage. This Court does not deem it appropriate to delve deep

into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioners absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificates dated 07.04.2026 filed by learned State counsel, the petitioners have already suffered incarceration for a period of 06 months and 05 days & are not shown to be involved in any other case.

Suffice to say, further detention of the petitioners as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Both the petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioners shall remain bound by the following conditions:

- (i) The petitioners shall not mis-use the liberty granted.
- (ii) The petitioners shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioners shall not absent themselves on any date before the trial.
- (iv) The petitioners shall not commit any offence while on bail.
- (v) The petitioners shall deposit their passport, if any, with the trial Court.
- (vi) The petitioners shall give their cell-phone numbers to the Investigating Officer/SHO of concerned Police Station and shall not change their cell-phone numbers without prior permission of the trial Court/Illaqa

Magistrate.

(vii) The petitioners shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioners.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

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

April 08, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

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