



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

222

CRM-M-11387-2026

Date of decision : 22.04.2026

Date of uploading :22.04.2026

AMIT KUMAR ALIAS AMIT ALIAS VEENA ALIAS DEENA

ALIAS CHHEENA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vipin Kumar Sharma, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

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 petitioner in case FIR No. 325 dated 19.12.2025 under Sections 61(2), 333, 115(2), 191(3), 190, 351(3), 324(5), 317(2) of BNS and Sections 25 and 27 of Arms Act and Sections 118(1), 118(2), 117, 117(2) of BNS added later on, registered at Police Station Kartarpur, District Jalandhar Rural.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

“Statement of Jaspal Son of Ram Kishan, resident of Rasulpur Brahmana, Police Station, Kartarpur, District Jalandhar, age 54 years, Mobile No: 62804-49405. It is stated that I am resident of the above said address and I work as labour. I have two children. Elder son, Harvinder Alias Harry Alias Bhinda, whose age is 29 years and he works as labour, younger son is Dharamprit, aged about 23 years and he works as a hair cutter. I often remain ill. In the midnight of dated 17/18-12-2025, I was present in my home along with my family and I was resting. My son, Harvinder @ Harry



@ Bhinda was lying alone in a room and in the room of the front side, my wife, Kulwinder Kaur was resting along with my younger son, Dharamprit. At time about 12.45 A.M, gate of our house started knocking loudly and young men standing outside were hitting it with Khandas and datar and they were giving threats to kill my son, Harvinder Singh @ Harry. In the meantime, all the above said young men, by giving pushes, were entered in my house and started making inquiry about my son, Harvinder @ Harry. Then they started seeing by opening the rooms. Then, these young men started causing injuries to my son, Harvinder @ Harry with datar and Khandis. They damaged the items, washing machine, fridge, taps and doors of my house. They caused injuries to my son, Harvinder @ Harry on his right leg, hands, head and body and caused serious injuries also on his left leg. Thereafter, these young men fired shots in air with pistols outside in the street. These young men were come to my house at night time with weapons with the intention of killing my son, Harvinder @ Harry and his family. It came to know us that Nachhattar Bai, resident of Bijli Nangal, by hatching a conspiracy, sent Rikshit Sapro, resident of Bauli Mohalla, Kartarpur, Love resident of Bhullath, Bobby, resident of Ram Garh, Amit @ Veena, resident of Kartarpur, Jassi (Advocate), resident of Kolsar Mohalla, Kartarpur, Rahul resident of Kharika Mohalla, Kartarpur, Feena Giani, resident of Kartarpur, Jatinder @ Karan, resident of Kartarpur and 4-5 unknown young men in my house, who were armed with datar and khandis and they caused injuries to my son, Harvinder and damaged the items of my house. All these young men tied their face with cloth. Therefore, search of these young men may be made and action be taken as per the law. The reason of this quarrel is that my son, Harvinder @ Harry contested the election of president in some college. Due to this reason, the above said young men, by keeping jealousy, caused injuries and damaged the items of my house. Therefore, action may be taken. I have recorded my statement before you, heard and it is correct. Sd/- Above said Jaspal. Attested Narinder Singh ASI, I/C PP Kishangarh, Police Station, Kartarpur Dated 19.12.2025. Police Action: On dated 18.12.2025, I, ASI, was present in the police post, Kishangarh and the MHC of the police station informed that last night, young men gave beatings to the above said Harvinder @ Harry of Village Rasulpur Brahmna and shots were also fired by the above said young men and Harvinder @ Harry, is under treatment in Kapur Hospital, Jalandhar. Take action by reaching the spot. Upon this, I, ASI, along with co-officials, after reaching at Kapur Hospital, Jalandhar, presented application before Dr. Ashok Kumar for recording the statement of the above said victim Harvinder Singh @ Harry. The doctor mentioned about the victim as unfit for giving statement and the information slip about the victim Harvinder @ Harry was taken from the reception of Kapur Hospital and after coming back to the police station, entered Rapat No. 13 Dated 18.12.2025 in the daily diary. I, ASI along with S/CT Manprit Singh-1295, S/CT Jaswinder Singh No.1876, PHG Jarnail Singh No. 27626, reached at Village Rasulpur Brahmna, where, Jaspal Son of Ram Kishan, resident of Rasulpur Brahmna met me, who recorded the above said statement before myself ASI. After writing his statement, the same was read over and after accepting his statement as correct, he put his signatures in Punjabi below the statement, which was attested by myself. From the perusal of the statement and from the verification of the spot, at the preliminary stage, commission of offence is found U/s 61(2), 333, 115(2), 191(3), 190, 351(3), 324 (5) BNS and Section 25,27 of Arms Act and the victim Harvinder @ Harry has been admitted in Kapur Hospital, Jalandhar and on receipt of his MLR or statement or injury report increase in offence will be made. For registering the case, statement is being sent by hand through PHG Jarnail Singh No. 27625, to the police station. After registering the case, case number may be informed. S.H.O.



Police Station and senior officers may be informed. Special reports may be issued. I, ASI along with co-officials, am busy in taking action. Today, in the area of Village Rasulpur Brahmna at 10.35 P.M. Sd/- Narinder Singh ASI, I/C PP Kishangarh PS Kartarpur, Jalandhar Rural. Dated 19.12.2025. Today, at the police station, on receipt of the above said written information at the police station, after registering the FIR under the aforementioned offence, original written information along with copy of the FIR is being sent to the ASI at the spot by hand through PHG Jarnail Singh No. 27625. After issuing special reports, the same are being sent to the senior officers and Illaqa Magistrate Sahib by hand through PHG Raj Singh No. 27280. Information was given to the S.H.O. and control room through telephone.”

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 20.12.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that, assuming *arguendo* that the prosecution version is taken to be correct, no specific injury is attributed to the petitioner. Learned counsel has further submitted that the injured already stands discharged after receiving the necessary medical treatment. Learned counsel has further iterated that the petitioner is a young man aged about 23 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed status report by way of affidavit dated 17.04.2026 in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner. Raising submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 21.04.2026 in Court, which is taken on record.

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



6. The petitioner was arrested on 20.12.2025 wherein after investigation was carried out and challan qua the petitioner stands presented on 17.02.2026. Total 15 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. 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 petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 21.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months and 27 days & is not shown to be involved in any other case.

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

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his 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 petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial

Court.

(vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.

(vii) The petitioner 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 petitioner.

9. Ordered accordingly.

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

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

(SUMEET GOEL)
JUDGE

22.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No