



CRM-M-12921 of 2026

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

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CRM-M-12921 of 2026
Date of Decision: 18.04.2026

Vikram Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. K.K. Goyal, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

Mr. Lakshay Bector, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.14 dated 15.01.2026 registered under Sections 115(2), 126(2), 351(2), 351(3), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (Section 117(4) of BNS was added later on), at Police Station Sahnewal, District Ludhiana.

2. Brief facts as per the case of the prosecution are that the petitioner along with co-accused, attacked the complainant and caused serious injuries to him, due to some old enmity. Hence, the present FIR.



3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He argued that the alleged occurrence took place on 11.01.2026 but the FIR in question was registered on 15.01.2026 i.e. after an unexplained delay of 04 days, casting serious doubt on the prosecution story. He argued that the present FIR was registered by the complainant for the reason that the petitioner was earlier employed with M/s Radha Agro Factory and left job on 12.09.2024 to start his own business in the same field. The complainant being Manager of the said firm, became annoyed and falsely roped the petitioner in the present case. He argued that the petitioner was not even present on the spot at the time of commission of offence. He further argued that if the contents of the FIR are taken to be true, even then the injury attributed to the petitioner is on the non-vital part of the body of complainant i.e. on his leg. He further argued that Section 115(2) of BNS has been added by the prosecution, only to make the offence graver. Moreover, the petitioner has clean antecedents as he is not involved in any other case and nothing is to be recovered from him. The petitioner is in custody since 30.01.2026. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submitted that there are total 10 prosecution witnesses but none has been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and while referring to the status report already filed in the matter, he has vehemently opposed the



prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioner, has contended that in the said occurrence, the complainant remained in the hospital for 14 days and moreover, he cannot even walk without human support. He submitted that the petitioner has played an active role in the crime and thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 02 months; he has clean antecedents; investigation in the FIR is complete; challan stands presented; charges framed; out of 10 witnesses, none has been examined till date; the complicity of the petitioner is a matter of trial; which is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein the Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution

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of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

18.04.2026*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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