



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

209

CRM-M-16084-2026.

Date of Decision: 30.03.2026.

Rohit Nahar

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Jasdeep Singh, Additional Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.39 dated 27.04.2025, under Sections 118(1), 115(2), 351(3), 191(3) of BNS, 2023 and Sections 109, 238, 55 of BNS added later on (sections 324, 323, 506, 148 and Sections 307, 201, 115 IPC added later on), registered at Police Station City Nakodar, District Jalandhar Rural.

2. FIR in question has been got registered at the instance of complainant-Harpreet Kumar @ Honey, to the effect that on 19.04.2025, petitioner-Rohit Nahar and Amit Nahar met him in the market and asked that they have to go New Grain Market, Nakodar, where they have to talk to someone. The complainant went with them. At about 2:30 PM, when they reached at the back side of Grain Market, Nakodar, near Gurudwara Sahib, 4-5 persons namely Sagar, Gurpreet Singh @ Gori, Kalu Mota and Jaggi @

Lakhu were already standing there. Petitioner-Rohit Nahar and Amit Nahar along with an unknown person caught hold of the complainant from his collar and started bearing him. They pushed and threw him on the ground. Thereafter, Sagar attacked him with *Datar* which landed on the back right side of his head. Gurpreet @ Gori attacked him with *Kirpan* from reverse side, which landed on the back side of his head. Then Kalur Mota attacked him with *Datar* which landed on the fingers of his left hand and Jaggi @ Lakhu attacked on the right chest of the complainant with iron *Karha* and in order to save himself, the complainant raised his right hand, which landed on his little finger. Thereafter, Amit Nahar attacked him with iron *Karha* which landed on the right side of his head and petitioner-Rohit Nahar attacked the complainant with wooden stick on his forehead. Thereafter, all the assailants fled away from the spot while threatening the complainant. The complainant was admitted in Civil Hospital, Nakodar, from where he was referred to Civil Hospital, Jalandhar and his family members took him to Arman Hospital, Jalandhar.

3. Learned counsel for the petitioner contends that the role assigned to petitioner-Rohit Nahar is of giving a wooden stick blow on the forehead of the complainant and the injuries were opined to be simple in nature. Counsel further argues that the injuries, which were declared grievous, were attributed to co-accused Gurpreet Singh and Sagar. He further submits that almost similarly situated co-accused Amit Nahar, who was attributed a blow with *Karha* on the head of the complainant, has already been granted concession of bail by the Co-ordinate Bench of this Court, vide order dated 16.02.2026 passed in CRM-M-69917-2025 (Annexure P-3). Counsel submits that the petitioner is in custody for about 11 months and process of recording

of statements of prosecution witnesses is yet to start and thus, the petitioner may be granted bail.

4. On the other hand, learned State counsel submits that since the petitioner was accompanying with other co-accused including two, who caused grievous injuries, being a member of an unlawful assembly, is not entitled for any concession of bail. However, learned Additional Advocate General could not counter the plea that the injury attributed to the petitioner was simple in nature.

5. I have heard learned counsel for the parties and perused the paper-book along with the documents appended thereto including the order granting bail to co-accused Amit Nahar.

6. The injury attributed to the petitioner is declared simple, which had been inflicted by him with a wooden stick to injured Harpreet Kumar @ Honey. Out of total 10 prosecution witnesses, no one has been examined till date. Any longer incarceration of the petitioner inside the jail would not serve any substantial purpose. The veracity of allegations are yet to be established at the final stage of the trial, which would depend upon the quality of evidence to be led before the Trial Court. Moreover, this Court is of the opinion that conclusion of the trial is likely to take a considerable period of time. In these circumstances, this Court finds merit in the petitioner's prayer.

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.03.2026
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No