



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M No.25051 of 2026
Date of decision : 8.5.2026
Date of uploading : 8.5.2026

Krishan LalPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Pardeep Kumar, 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.485 dated 25.11.2025 under Sections 126(2), 115(2), 351(2), 3(5), 238 of Bharatiya Nyaya Sanhita, 2023 (Section 109 of BNS added later on), registered at Police Station City Faridkot, District Faridkot.
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 injured Dalip Kumar son of Gopi Ram son of Ganesh Ram, resident of Gali No. 02, Khabbe Dangar Basti, Faridkot, aged about 42 years, mobile No. 62807-88894, stated that I am a resident of the above-mentioned address and I work as a driver, and we are four brothers, out of which three are married and the youngest is unmarried; my eldest brother Mukesh Kumar @ Munna runs a shop in the name of Punjabi Special



Chhole Bhature at Kameana Chowk, Faridkot, and as per routine I go in the morning to help my brother set up the stall and thereafter proceed to my work; on dated 22/10/2025, on the day of Vishkarma Day, I had gone to the shop to help my brother set up the stall, and at about 8:00 AM, Krishna Lal son of Arjan Dass, resident of Mohalla Mahikhana, Gali No. 4, Faridkot, who was earlier a partner of my brother, along with his son Karan Kumar, who set up a Chhole Bhature stall across the road near the liquor vend, came towards us, where Krishna Lal was holding an iron rod and his son Karan was holding a sharp kirch-like object, and they started abusing our worker saying that you are working with us and you should come there, you are spoiling our customers and if you do not leave we will deal with you; I told them that we have nothing to do with you, we are family men, do not interfere in our work nor say anything to our worker, and after saying so I started going towards my house, whereupon Krishna Lal instigated his son Karan by saying catch him and teach him a lesson today for spoiling our customers, and Karan, in a fit of rage, intercepted me while I was going and with an intention to kill struck a blow with the sharp object towards my head which hit my forehead and I Immediately felt darkness before my eyes and blood started oozing from my head, and thereafter Krishna Lal struck me with the rod on the back side of my head and I fell on the ground, and I started raising cries of "I am killed", whereupon both of them fled from the spot while extending threats to kill me, and thereafter my younger brother Vicky also came to the shop and arranged a vehicle and got me admitted for treatment in the Medical Hospital from where, due to the seriousness of my injuries, the doctor referred me to AIIMS Hospital, Bathinda, where I remained admitted for about 8-9 days, and even after discharge I was unable to get my statement recorded for about 10-15 days due to pain from the injuries, and the police officials came to my house repeatedly to record my statement but I was not physically fit to give the same; now I am present at my house along with my family and am fit; the motive behind the occurrence is that my brother Mukesh Kumar and Krishna Lal of our community were earlier jointly running a Chhole Bhature stall at Kameana Gate, but due to some dispute we separated our business, and since our stall was old we had more customers, due to which Krishna Lal and his son Karan used to stand across the road and call our customers and also abuse our worker and pressurize us to remove our stall, and due to this grudge both father and



son, in conspiracy, inflicted injuries upon me with an intention to kill; strict legal action be taken against them; you have recorded my statement, read over and explained the same to me and it is correct; signed/- Dalip Kumar attested correct/- Jagtar Singh, ASI, Police Station City Faridkot; dated 25-11-2025.'

3. Learned counsel for the petitioner has argued that initially the petitioner was apprehended on 2.12.2025 and was released on bail by the police as only bailable offences were found against the petitioner at that point of time. Subsequently, upon addition of Section 109 of BNS (erstwhile Section 307 of IPC), the petitioner came to be arrested on 29.12.2025 and is in continuous custody since then. Learned counsel has further argued that the case in hand is one of version and cross-version. Learned counsel has further urged that the victim stands discharged after medical treatment. Learned counsel has further argued that there is inordinate delay in registration of the FIR in question. Learned counsel has further urged that the petitioner is in custody for more than 4 months and is not involved in any other case. Thus, regular bail is prayed for.

4. 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 7.5.2026 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. In the present case the petitioner is in custody since 29.12.2025.

Challan was presented on 2.3.2026 wherein 10 prosecution witnesses



have been cited. It is conceded case that the trial is not progressing as the charges are yet to be framed. The victim Dalip Kumar has been discharged after treatment. The rival contentions raised at Bar 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 7.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 4 months and 7 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/Illaqa 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.

(SUMEET GOEL)
JUDGE

8.5.2026
Ashwani

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