

2026.PHHC.042115



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

114

CRM-M-60564-2025 (O&M)
Date of decision: 18.03.2026

Amit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. GS Ghuman, Advocate for the petitioner. (through VC)
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

CRM-11895-2026

Having heard learned counsel for the parties and in view of the reasons mentioned in the application, same is allowed.

Main Case

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.0409 dated 05.12.2024, registered under Sections 126(2), 351(2) BNS (124(1), 3(5) BNS added later on), at Police Station City Kharar, District SAS Nagar (Mohali).
2. Learned counsel contends that the petitioner has been in custody for about 6 months. He was initially involved in bailable offences, however, after 6 months on 24.09.2025, arrested on account of addition of non-bailable offences under Sections 124(1), 3(5) BNS. The allegations against the petitioner are of having poured hot water on the back of the complainant at the instigation of his mother, who has since been granted bail by this Court vide order dated 10.02.2026. There is a delay of 10 days in lodging the FIR. It is a case of dispute between the mother-in-law and daughter-in-law. Challan has been presented on 26.09.2025, charges have been framed on 15.12.2025 but none, out of 11 PWs, has been examined. He is not involved in any other case.

3. The custody certificate dated 17.03.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 5 months and 21 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having poured boiling water on the back of the complainant. He, however, is unable to controvert with regard to stage, petitioner being not involved in any other case and co-accused having been on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for last 5 months and 21 days; not involved in any other case; co-accused is on bail; challan was presented on 26.09.2025, charges were framed on 15.12.2025 and out of 11 PWs, none has yet been examined, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and

not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.

- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

18.03.2026

ashok

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