



CRM-M-70045-2025

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

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**CRM-M-70045-2025
Decided on :11.02.2026**

Arun Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. J.K. Singla, Advocate for the petitioner.

Mr. Rahul Jindal, Asst. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in FIR No. 232 dated 15.08.2025, under Sections 109, 115(2), 118(2), 126(2), 191(3), 190, 351 of BNS and later on offence under Section 118(1) of BNS added vide DDR No.36 dated 01.10.2025 and offence under Section 238 of BNS added vide DDR No. 15 dated 11.10.2025, registered at Police Station Civil Lines, Bathinda, District Bathinda.

2. Learned counsel for the petitioner contends that there are two injured persons, namely Himmat Rai, who suffered a total of four injuries, and Narinder Kumar, who suffered a total of six injuries. There are six accused in the case, namely Arun @ Sukha, Bikram Singh @ Coffee, Lovepreet Singh @ Gyani, Jaspreet Singh @ Jassi, Gagandeep @ Gaggi, and Navdeep Singh @ Gole.

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3. Counsel for the petitioner argues that the role attributed to the petitioner is limited of causing a kirpan blow from its reverse side on the head of injured Narinder Kumar; however, this injury has been opined as simple. Petitioner is in custody since 15.08.2025. Counsel further submits that, although one grievous injury was sustained by injured- Narinder Kumar, which is not attributed to the petitioner, and none of the injuriy has been declared as dangerous to life. Therefore, the question that requires adjudication before the trial Court is whether or not the provisions of Section 109 of the BNS are attracted in the present case.

Broadly reiterating his submissions, learned counsel submits that the petitioner has already undergone sufficient period of incarceration for the simple injury caused by the reverse side of the kirpan. Had there been any intention to cause serious harm, the alleged weapon would have been used from its sharp side. In view of these facts, counsel prays for the grant of regular bail.

4. While opposing the prayer for bail, learned State counsel submits that the petitioner is in custody only since 15.08.2025 and that the witnesses are yet to be examined. He further contends that, if the petitioner is released on bail, there is a possibility that he may influence the witnesses and impede the trial.

However, learned State counsel is not in a position to dispute the factual aspects as addressed by learned counsel for the petitioner.

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5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

6. Considering the fact that the petitioner is in custody since 15.08.2025, that the injury attributed to him has been declared simple in nature, that the grievous injury sustained by the injured is not attributed to the petitioner, and that none of the injuries have been opined to be dangerous to life, this Court is of the view that further incarceration of the petitioner is not warranted at this stage. The trial is likely to take considerable time, as the witnesses are yet to be examined, and no specific material has been placed on record to substantiate the apprehension that the petitioner would influence witnesses or tamper with evidence, if released on bail. Accordingly, this Court finds merit in the present petition.

Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa 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.



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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

11.02.2026

Rashmi

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