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

CRM-M-69917-2025

Date of decision : 16.02.2026

Amit Nahar

....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. K.D. Sachdeva, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.39 dated 27.04.2025, under Sections 118(1), 115(2), 351(3), 191(3) of BNS and Sections 109, 238, 55 of BNS added lateron, registered at Police Station City Nakodar, District Jalandhar Rural.

2. As per the facts of the case, the FIR was lodged on the statement of complainant, namely, Harpreet Kumar @ Honey. It was alleged that on 19.04.2025, he went along with Rohit Nahar and Amit Nahar (present petitioner) and at about 2:30 pm, when they reached near New Dana Mandi, near the Gurdwara, he found 4-5 other boys were also standing there and in the meanwhile, Rohit and Amit along with 4-5 other unknown boys started beating the complainant and he was thrown on the ground. Sagar gave *datar* blow on the backside of his head. Gurpreet @ Gori, gave a kirpan blow on his head. Amit Nahar (petitioner) gave a iron *kadha* blow on the right side of his head whereas, Rohit Nahar gave a wooden stick blow on his forehead. After causing injuries, all of them



him. Thereafter he was shifted to Civil Hospital, Nakodar for his treatment. Thus, the request was made to take the legal action against the culprits. On registration of FIR, investigation commenced. The petitioner was arrested on 29.04.2025. On completion of investigation, challan was presented. On framing of charges, the trial commenced. The petitioner approached the learned Additional Sessions Judge, Jalandhar, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 06.11.2025. Aggrieved by the same, petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner is behind bars since the date of his arrest i.e. 29.04.2025. It is submitted that even otherwise the allegations against the petitioner that he gave a *kadha* blow on the head of the complainant, however, as per the MLR, the injury as attributed to the petitioner was found to be simple in nature. He submits that the injury which were declared dangerous to life has been attributed to co-accused of the petitioner. To buttress his arguments, he submits that the petitioner has no criminal antecedents as he has never been involved in any other case. He, thus, submits that the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has also opposed the submissions made by counsel for the petitioner and submits that the petitioner is not only the part of unlawful assembly, however, he actively participated and gave a *kadha* blow on the head of the complainant. He submits though this injury was declared to be simple in nature, however, all the accused by following an unlawful assembly had caused injuries



which were dangerous to life. It is submitted that out of total 10 prosecution witnesses, none has been examined so far. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner had been alleged to have given a *kadha* blow on the head of the complainant and this injury as per the MLR, as submitted before this Court, was declared to be simple in nature. The injury declared dangerous to life has been attributed to co-accused. The custody certificate produced would show that the petitioner has suffered an incarceration of 09 months and 16 days as on 14.02.2026. It further reflects that the petitioner has no criminal antecedents.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Accordingly, present petition is allowed and petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

16.02.2026
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(RAJESH BHARDWAJ)
JUDGE

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