

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:100634



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CRM-M-41069-2025

Date of decision:05.08.2025

Deepak Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Balwinder Singh Chahal, Advocate for the petitioner,
(through V.C.).

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.0156 dated 28.06.2025 registered under Sections 331(6), 115(2), 324(4), 351(1), 191(3), 190 of the BNS, at Police Station City Kotkapura, District Faridkot.

2. As per the allegations on 24.06.2025, the complainant Om Parkash was going towards his house, when he reached the turn of his house, he found the petitioner and co-accused standing there while being armed with weapons. When the complainant reached at his house, one of them threw brick towards him, thereby injuring his chest. He managed to entered inside his house and bolted the door. However, all of them opened an assault after breaking open the door of his house with their weapons. They damaged

the household articles and inflicted injuries on his person. Even his mother sustained injuries at their hands. Clamour raised by them attracted the neighbours on seeing whom the assailants fled away. They were rushed to the hospital and were provided treatment. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 28.06.2025. Investigation now stands completed qua the petitioner.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 28.06.2025. No specific overt act has been attributed to him. There is delay of 5 days in lodging of the FIR. The subject offences are triable by the Magistrate. He has clean antecedents. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petitioner deserves to be released on bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by him that there are serious allegations against the petitioner, who had attacked the complainant and caused injuries on the thumb of his right hand with an iron rod. It is argued that there are chances of his absconding or intimidating the witnesses, if extended the benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. I have heard rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common

object of that assembly, is alleged to have opened assault on the complainant and his mother and caused injuries to them. The injuries so sustained are opined to be simple in nature. The petitioner is in custody since 28.06.2025. Investigation and trial will take time. This Court is of the opinion that further incarceration of the petitioner is not going to serve any fruitful purpose and as such, a case for release of the petitioner is made out in view of the above discussed facts.

8. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

05.08.2025

harjeet

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