

IN THE COURT OF ARVIND KUMAR,
ADDITIONAL SESSIONS JUDGE,
CHANDIGARH (UID No. HR0257)

CNR No. CHCH01-002907-2026
CIS (Bail App.) No. 628 of 2026
Date of Institution : 29.04.2026
Date of Decision : 02.05.2026

Akash Rana son of Shri Sanjeev Kumar resident of # 1229/7, Village Burail, Chandigarh.

2nd address: House No. 4169 Sector 46-D, Chandigarh.

(Now confined in Model Jail, Burail, Chandigarh).

...Accused-applicant

Versus

State of UT Chandigarh through SHO PS Sector 34, Chandigarh.

...Respondent

FIR No. 50 dated 06.04.2026
Under Sections: 115 (2), 118 (1), 126(2), 351 (3),
3 (5) BNS, 2023.
Police Station: Sector 34, Chandigarh.

Application under Section 483 BNSS for grant of regular bail.

Present: Shri Rupender Singh Rana, counsel for the accused-applicant.
Shri Varinder, Public Prosecutor for respondent-State.

Order:

This regular bail application has been filed in the
aforementioned F.I.R. by the applicant/accused under Section 483 Cr.P.C.

(Arvind Kumar)
ASJ, Chandigarh
Dt. 02.05.2026

Learned Public Prosecutor has appeared on behalf of State and filed reply of bail application.

2. Facts of the prosecution case, in brief, are that the present case came into existence on the complaint of the complainant Abhinav who reported that on 06.04.2026, he and Abhishek were studying in Library at GMCH-32, Chandigarh. At about 10.40 PM, Akash Rana, owner of Elite Edge Gym called them for a matter regarding Gym membership that was little fend among him and Abhishek. Under the garb of talking and conciliation, he had came with around 15-20 goons and attacked them. He received 50 stitches on his head and Abhishek received injuries on his head and neck. He prayed to take appropriate action against the applicant/accused.

3. On these allegations, present FIR was registered. The investigation was started. Applicant voluntarily surrendered himself before the police on 06.04.2026.

4. The Learned counsel for the applicant-accused has submitted that the applicant-accused has been falsely implicated in the present case. No offence has been committed by the applicant. The applicant has nothing to do with the alleged offences. No specific injury has been attributed to the applicant. No evidence has been collected by the Investigating Officer showing the involvement of the applicant in the alleged incident. The offences as alleged are triable by the learned Judicial Magistrate Ist Class. No notice under Section 35 of BNSS has been issued to the applicant. It has been further submitted that the contents of FIR are palpably false and

beyond imagination. The complainant has concocted a false and frivolous story in order to involve the applicant-accused in this false case with some ulterior motive whereas the applicant-accused is innocent and has not committed any offence. Presentation of challan and conclusion of trial will take sufficient time, so, no useful purpose will be served by detaining the applicant in custody further and prayed for allowing the present bail application.

5. However, on the other hand, learned Public Prosecutor for the state has vehemently argued that the offences committed by applicant-accused are heinous and grievous in nature and if the present applicant-accused is released on bail then he would certainly misuse the concession of bail granted to him and would certainly leave the jurisdiction of this Court and would pressurize the witnesses hence the application filed by the applicant-accused be dismissed.

6. I have heard the learned counsel for the applicant and learned Public Prosecutor for the State and perused the case file.

7. It transpires that the accused-applicant has been booked under Sections 115 (2), 118 (1), 126(2), 351 (3) read with 3 (5) BNS, 2023 with the allegations that he along with his accomplices had attacked upon the complainant in which he received various injuries.

8. In the present case, the material question which needs to be adjudicated, at this stage, is as to whether the present applicant-accused is entitled for grant of concession of regular bail. In the present case, the

prosecution was required to file the opinion of the concerned doctor regarding the nature of injuries. The perusal of the case file reveals that even vide order dated 29.04.2026, the prosecution was directed to file the opinion of the concerned doctor regarding the nature of injuries on the person of the injured. Today ASI Deepanshu No. 1876/CHG is present in the Court and has suffered a statement recorded separately to the effect that he had given the letter/reminder regarding the pendency case summary and final opinion of the patient Abhinav Chaudhary vide CR No. 260402766 from the Surgery Department and Dental Department and the final opinion regarding the nature of injuries has not been received from the concerned doctor. As already discussed, the final opinion regarding the nature of injuries has not been placed on record. It appears that the investigating agency has wiped of its responsibility by issuing the reminder/letter to the concerned department to give the final opinion regarding the nature of injuries on the person of the injured. Had the investigating agency been serious enough then it would pursue the matter regarding the final opinion of the nature of injuries on the person of the injured, more seriously and would ensure the production of the final opinion regarding the nature of the injuries in the Court. But it has not been done so by it. The only opinion which is available as of now is from Ophthalmology Department in which the nature of injuries has been shown to be simple.

9. In the present case, the applicant/accused is stated to be involved in the commission of the offence punishable under Section 115 (2), 118 (1), 126(2), 351 & (3)5 of BNS, 2023. He is in custody since

06.04.2026. He is no more required in the investigation and the trial of the case will take sufficient long time. Hence in these circumstances, the applicant-accused is admitted to regular bail subject to his furnishing bail bonds in the sum of ***Rs. 50,000/- with one local surety*** in the like amount to the satisfaction of learned Illaqa/Duty Magistrate, Chandigarh concerned subject to following terms and conditions:

- (i) That applicant applicant-accused shall not leave the country without seeking prior permission from Court till conclusion of trial.
- (ii) That applicant-accused shall not commit any offence similar to the offence of which he is accused.
- (iii) That the applicant-accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to tamper with the evidence.

10. Accordingly, the instant bail application stands **allowed** with the direction to submit the requisite bail bonds as ordered above. A copy of this order be sent to the learned Illaqa/Duty Magistrate, Chandigarh concerned for information and necessary compliance. It is made clear that if on the basis of nature of injuries on the person of the injured, the investigating agency/prosecution incorporates the offence of graver nature then it would be at liberty to move the application regarding the cancellation of the bail of the applicant/accused.

11. *In terms of directions of Hon'ble Supreme Court of India passed in case of **IN RE POLICY STRATEGY FOR GRANT OF BAIL, SMWP (Criminal) No.4/2021, date of order 31.1.2023**, let a soft copy of*

this bail order be sent by e-mail to the applicant-accused through Jail Superintendent forthwith. After due compliance, this file be consigned to the record room.

Pronounced in open Court:

02.05.2026

(Arvind Kumar)

**Additional Sessions Judge,
Chandigarh UID No.HR02057**

Seema Bura, Stenographer II

Note: It is certified that this order contains six pages and all the pages of this order have been checked and signed by me.

(Arvind Kumar)

**Additional Sessions Judge,
Chandigarh (UID :HR0257)**

CNR No. CHCH01-002907-2026
CIS (Bail App.) No. 628 of 2026

Present: Shri Rupender Singh Rana, counsel for the accused-applicant.
Shri Varinder, Public Prosecutor for respondent-State.

Today ASI Deepanshu No. 1876/CHG is present in the Court and has suffered a statement recorded separately to the effect that he had given the letter/reminder regarding the pendency case summary and final opinion of the patient Abhinav Chaudhary vide CR No. 260402766 from the Surgery Department and Dental Department and the final opinion regarding the nature of injuries has not been received from the concerned doctor.

Arguments heard on bail application.

Vide my separate detailed order of even date, the instant bail application stands allowed as detailed therein. After due compliance, this bail application be consigned to the record room.

Pronounced in open Court:
02.05.2026

(Arvind Kumar)
Additional Sessions Judge,
Chandigarh UID No.HR02057

Seema Bura, Stenographer II

(Arvind Kumar)
ASJ, Chandigarh
Dt. 02.05.2026