



2026:PHHC:086609

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CRM-M-32073-2026

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

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**CRM-M-32073-2026
Decided on : 03.06.2026**

Sumit @ Sumit Nepali

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Anureet S. Sidhu, Advocate
for the petitioner

Mr. Neeraj Madaan, Sr. DAG Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sumit @ Sumit Nepali, aged 27 years	0065	03.04.2024	323 (115 BNS), 324 (118 BNS), 148 (191(3) BNS), 149 (190 BNS), 506 (351 BNS) IPC (Sections 302 (103 BNS), 307 (109 BNS), 326 (118(2) BNS)IPC added later on)	Kotwali Patiala	Patiala

2. The incident in question, took place around 01:00 AM on 03.04.2024, on the intervening night of 2-3 April, 2024 when complainant and his friend Tejpal

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(deceased in the present case) S/o Palaram were going towards Tejpal's house from Lakkar Mandi side on the motorcycles. On the way, accused Amandeep @ Jatt and his companion Ravi stopped Tejpal and started arguing with him. Complainant also got down from his motorcycle and joined them. Accused Amandeep @ Jatt gave a blow of dagger on the backside of head of Tejpal, who thereafter fell on the road. Further, co-accused Ravi gave danda blows on the legs of deceased Tejpal. When complainant tried to save his friend, Amandeep @ Jatt shouted to catch him and in the meantime, other co-accused namely Gola armed with Kirpan, gave a blow on the forehead above the left eye of complainant. Other accused namely Jaggu (brother-in-law of Amandeep @ Jatt) also gave beatings, while complainant was lying on the ground.

3. Counsel for the petitioner submits that primary allegations against the petitioner is of giving beating, though neither he was armed with any weapon nor any specific injury is attributed to him. He further submits that co-accused Ravi has already been granted regular bail by this Court vide order dated 20.05.2026 passed in CRM-M-5701-2026 (Annexure P-3). Thus, prays for grant of bail.

4. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate in the Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, the petitioner has already undergone 01 year, 05 months and 16 days, period inside jail.

5. Learned State counsel, while opposing the prayer and submissions advanced on behalf of the petitioner, confirms the facts including the role attributed to the petitioner and also the stage of trial. Thus, prays for dismissal of



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the petition.

6. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available on file.

7. Injury which has been described in the post-mortem report of deceased Tejpal, as discussed in order dated 20.05.2026 in CRM-M-5701-2026 is reproduced hereunder:-

Sr. No.	Injuries
1.	<i>MULTIPLE LINEAR SUTURED WOUNDS, FIVE IN NUMBER, OF LENGTH VARYING FROM 11 CM TO 5.4 CM IS PRESENT HORIZONTALLY OVER LEFT SIDE OF HEAD AND BACK SIDE OF HEAD. ON DISSECTION, EXTRACRANIAL HEMOTOMA PRESENT OVER LEFT PARIETO OCCIPITAL REGION OF SCALP. FRACTURE OF LEFT PARIETAL BONE EXTENDING TO LEFT OCCIPITAL BONE PRESENT WITH INFILTRATION OF BLOOD IN SURROUNDING TISSUES. ON FURTHER DISSECTION AND REFLECTING THE MEMBRANES, SUBDURAL, SUBARCHNOID AND INTRAVENTRICULAR HEMORRHAGES PRESENT OVER LEFT PARIETO OCCIPITAL LOBES OF BRAIN. ABOUT 100 CC OF BLOOD PRESENT AT THE BASE OF SKULL.</i>
2.	<i>SULURED WOUND OF LENGTH 3.2.CM WITH ONE BLACK COLOR SUTURE MATERIAL IS PRESENT OBLIQUELY ON RIGHT SIDE OF FOREHEAD, BLACKENING OF EYES PRESENT ON BOTH SIDES.</i>
3.	<i>A BLACKISH BROWN ABRASION OF SIZE 4.2 CM x 1.7 CM IS PRESENT Y ON LEFT SIDE OF FACE, 2.1 CM FROM LEFT EAR TRAGUS AND 3.2 CM FROM LATERAL END OF LEFT EYE. ON DISSECTION OF INJURY NO.1 AND 2, EXTRACRANIAL HEMOTOMA PRESENT OVER RIGHT FRONTAL REGION OF SCALP. FRACTURE OF RIGHT FRONTAL AND ORBIT BNOES PRESENT WITH INFILTRATION OF BLOOD IN SURROUNDING TISSUES. ON FURTHER OPENING AND EXPLORATION OF CRANIAL CAVITY, EXTRADURAL HEMOTOMA PRESENT CORRESPONDING TO THE INJURY DESCRIBED</i>

8. As per medico legal report, the injury suffered by injured/complainant Raghav Saraswat in his MLR dated 03.04.2024 are also mentioned hereunder :-

- (i) Two incised wounds of size 2 cm x 0.5 cm each one present over right side of forehead 2 cm below anterior hairline and 2nd over left side of forehead 2 cm above left eyebrow. Fresh bleeding and tenderness present. Advised-ray and surgeon opinion.*
- (ii) Right side of face found deformed with diffuse radish swelling present over right side of face around right eye, nose and right mandibular Region with reddish abraded contusion of size 3 cm x 1.5 cm present over right cheek with fresh bleeding and tenderness present over mouth and nostrils. Patient unable to open the mouth. Advised x-ray eye, ENT and Dental Surgeon opinion.*
- (iii) Two reddish contusion of size 6 cm x 4 cm present over front of right knee with reddish abrasions of size 4 cm x 1 cm present over front of right leg at its proximal part.*

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Advised x-ray and Ortho observation.

(iv) Two reddish abrasions of size 3 cm x 2 cm present over front of left knee and 2 cm x 1 cm present over front of left leg at its distal part.

Advised x-ray and Ortho observation.

9. It is noticed that, as per FIR, petitioner along with co-accused gave beatings to complainant and deceased, however, there is no specific role attributed to the petitioner.

Besides, petitioner is in custody since 17.12.2024 and has suffered incarceration for a period of 01 year, 05 months and 16 days, therefore, any longer incarceration of the petitioner would serve no useful purpose.

10. Considering the aforementioned facts, this Court deems it appropriate to extend the concession of regular bail to the petitioner.

11. In view of the aforementioned, the 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/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

12. Any of the discussion done and recorded hereinabove, 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.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

June 03, 2026

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