

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

CRM-M-42227-2020

Date of decision-05.04.2021

Suraj Kumar @ Rana

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. M.S.Saini, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.11 dated 25.01.2019 registered under Sections 307, 326, 324, 323, 341 and 34 Indian Penal Code, 1860 at Police Station Bullowal, District Hoshiarpur, Punjab. The petitioner is in custody since his arrest on 27.09.2019.

The FIR was registered on the statement of Gurpartap Singh, wherein it was stated that he is a student of Class 10+2 at Government Senior Secondary School, Pajjoduta. On 23.01.2019, when complainant was returning from his school, at about 12.35 p.m., three young persons, who were armed with gandasa, datar and iron rods waylaid him. One of them was Suraj Kumar @ Sahota and other two

persons were having covered faces. Suraj Kumar @ Rana (petitioner) raised exhortation and gave gandasa blow on the complainant's head. They all gave beatings to the complainant with their respective weapons and thereafter, they ran away from the spot. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that though the charges were framed on 23.03.2020, but till date no prosecution witness has been examined out of total twenty one witnesses. He further submits that the injuries suffered by the victim are on the non vital parts of the body i.e. hand and leg, therefore, further custody of the petitioner may not be necessary. He prays for bail.

On the other hand, learned State counsel assisted by ASI Ranjit Singh has opposed the prayer on the ground that the petitioner is named in the FIR, who caused injuries to the victim. However, it is not disputed by the learned State counsel that after framing of charges, no prosecution witness has been examined.

After hearing the rival submissions of learned counsel for the parties and considering the above background, this Court finds that the trial in the case is yet to commence and is likely to consume considerable time to conclude, therefore, further detention may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 27.09.2019.

Resultantly, without meaning any expression of opinion on

the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

05.04.2021

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