

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

CRM-M-18208-2022

Date of decision: 05.07.2022

Ranjit Singh @ Pavi Pada

....Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Gupta, Advocate for the petitioner

Mr. Nikhil Chopra, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

This is the petitioner's fourth attempt to get bail pending trial in a criminal case arising from FIR No.292 dated 22.11.2018 registered under Section 307, 323, 324, 325, 326, 148, 149, 506 IPC, 1860 at Police Station City Jagraon, District Ludhiana.

The petitioner is stated to be in custody for the more than last 3 years and 6 months i.e since 24.11.2018.

As per the case of the prosecution, the FIR was registered on the information supplied by Dev Raj son of Sant Ram. He stated that on 20.11.2018 at about 8:30 pm, he was working in the firm M/s Mittal and Sons, Shop No.75 when a young man aged, about 21 years, demanded his mobile. When the first informant refused to hand over his mobile phone, the said boy started abusing him and went away. After about 10 minutes, the said boy alongwith his co-accused, consisting of 9-10 persons, armed with iron rods, came at the shop and gave grievous injuries to the first informant. It has been stated that the petitioner had

given iron rod blow on the first informant's head with an intention to kill him. Various other injuries were caused by the other co-accused.

A status report by way of affidavit of Daljit Singh Virk, PPS, DSP, Jagroan, Ludhiana, has been filed. It has been disclosed that the Court has framed charges on 25.11.2021 but no prosecution witness has been recorded as yet.

Learned counsel representing the State of Punjab admits that there was a case under Section 363 IPC and POSCO Act, 2012 which was cancelled. He submits that there was another offence committed in the prison by the petitioner under the Prisons Act, 1894.

The petitioner is in custody for more than 3 years and 6 months. The trial of the case is proceeding at snail's pace. The petitioner has already suffered incarceration for a period of 3 years 7 months.

Learned counsel representing the State of Punjab admits that the injury attributed to the petitioner was not declared dangerous to life, although, it was with an intention to murder.

Keeping in view the aforesaid facts, this Court is of the considered view that the petitioner deserves to be granted the concession of bail. It may be noted here that the first application filed by the petitioner was dismissed on the ground that the petitioner is involved in two other criminal cases. In view of the cancellation of the case and as per the current status report, the petitioner is not involved in any other case.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate/Area Magistrate.

The petition stands allowed.

All the pending miscellaneous applications, if any, are also disposed of.

05.07.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE