

CRM-M-19652 of 2023

2023:PHHC:144866

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

CRM-M-19652 of 2023

Date of decision: 15.11.2023

Vishal Singh @ Rana

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ranjan Lakhanpal, Advocate,
for the petitioner.

Mr. M.S. Bedi, Addl. A.G., Punjab.

NAMIT KUMAR, J.

1. This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.0109 dated 10.11.2020 under Sections 307/324/323/341/506/34 IPC, registered at Police Station Daba, District Police Commissionerate, Ludhiana.

2. Present FIR has been registered on the statement of complainant-Mukesh, who stated that he is serving with M/s Sidhu and Sons and Company near Sarpanch Colony Giaspura Road Ludhiana. On dated 08.11.2020 at about 6-7:00 p.m., he was standing outside the office of the aforementioned company. There came Vishal Rana @ Mony Paharhia (petitioner) along with another unidentified person aged around 24-25 years on a motorcycle. Petitioner-Vishal Rana enquired from him the rates of plots in the colony. They enquired from regarding Seva Singh Sarpanch

CRM-M-19652 of 2023

2023:PHHC:144866

owner of the company. He intimated them that Shri Sewa Singh Sarpanch has already left the office. Then both of these persons left the site on the same motorcycle. At about 8-8:30 p.m. complainant closed the office of the company and was going to his house riding his motorcycle Hero Honda Splendor. When through street No. 01 Gurmit Nagar reached near Shri Guru Hargobind School, there came four clean shaven persons riding two motorcycles. Out of them one person was wearing a cap. All of them cordoned off complainant's motorcycle. Out of all of them complainant recognizes three persons, one was Vishal Rana @ Mony (petitioner), second person was Pandit, elder brother-in-law of petitioner-Vishal Rana, who is resident of Sahnewal, third person was Hardip Singh son of Jagtar Singh resident of village Sidhwan Khurd Jagraon District Ludhiana and fourth person was unidentified aged around 24-25 years. All of them pulled the complainant from his motorcycle and pushed him on the ground. All of them with an intention to kill attacked the complainant with sickles on his head, right knee, right arm and both the hands. They inflicted grievous injuries on the person of complainant. Apart from this, when complainant was lying on the ground they kicked him on his chest. Complainant started crying loudly for safety. The persons of nearby areas started gathering there. Then all of the accused threatened complainant that he should quit his job with owner Sewa Singh Sarpanch otherwise they will kill him and Sewa Singh Sarpanch and all of them fled on the same motorcycles. It is further stated by the complainant that the cause of animosity is that mother of petitioner-Vishal Rana @ Mony has a dispute over a plot with Sewa Singh Sarpanch.

3. Learned counsel for the petitioner submitted that the petitioner

CRM-M-19652 of 2023

2023:PHHC:144866

is innocent and has been falsely implicated in the present case. He further contended that there was no animosity between the petitioner and the injured. He further contended that no specific injury has been attributed to the petitioner. He further contended that no offence under Section 307 IPC is made out. He further contended that petitioner is in custody since 10.07.2021. He further submitted that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 15 prosecution witnesses only five witnesses have been examined so far. Trial may take a considerable time to conclude. Therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

4. *Per contra*, learned State counsel while placing on record custody certificate has opposed the prayer for grant of regular bail to the petitioner by submitting that injuries caused to the complainant have been declared grievous in nature. He further submitted that petitioner is involved in one more case being FIR No.208 dated 23.11.2020 under Sections 323, 324, 326, 341, 506, 34 IPC, registered at Police Station Sahnewal. However, he has not disputed that petitioner is in custody for the last 02 years 04 months and 03 days; investigation in the present case is complete; challan has been presented; charges have been framed; out of total 15 prosecution witnesses only five witnesses have been examined so far and trial may take a considerable time to conclude.

5. Learned counsel for the petitioner submitted that in case FIR No.208 dated 23.11.2020 petitioner is already on bail.

6. I have heard learned counsel for the parties and perused the record.

7. Keeping in view the custody of the petitioner, which is about

CRM-M-19652 of 2023

2023:PHHC:144866

02 years 04 months and 03 days; he is on bail in another case; investigation is complete; challan has been presented; charges have been framed and out of 15 witnesses, only five prosecution witnesses have been examined so far and trial is likely to take a considerable time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

15.11.2023
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No