

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24659-2022
Decided on : 24.03.2023

Ram Chander @ Hanuman

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.66 dated 26.03.2019 under Section 307 IPC registered at Police Station Division No.7, Ludhiana.

Learned counsel for the petitioner submits that the petitioner has been in custody since 26.03.2019 and there is no likelihood of the trial concluding in the near future as only 5 prosecution witnesses out of 14 cited have been examined till date. Learned counsel further submits that since the complainant has been examined, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer made by counsel opposite has invited the attention of this Court to the allegations levelled in the FIR. Learned counsel for the State submits that the petitioner, who was a neighbour of the complainant, without any rhyme or reason much less any provocation inflicted continuous blows with a hammer on the head of

the injured Deepak (10 year old son of the complainant) while he was playing outside in the park, as a result of which, he received the following injuries: Subarachnoid hemorrhage; a thin rim of extraxial crescentric hyperdense collection having maximum thickness of 2 mm along with right parietal convexity like subdural hemorrhage. Hemorrhagic contusions were noted right parietal convexity; bone window shows depressed fracture of right parietal bone; right nasal bone was also fracture.

Learned State counsel on instructions from SI Satbir Singh has submitted that no doubt only 5 prosecution witnesses including the complainant have been examined, however, the remaining witnesses are just official witnesses, who are to be examined and hence, the trial shall not take much time to conclude. Learned State counsel further submits that while stepping into the witness box, the injured fully supported the case of the prosecution in its entirety.

Heard learned counsel for the parties and perused the relevant material on record.

Prima facie there are serious allegations levelled against the petitioner of having inflicted continuous hammer blows on the head of a 10 year old boy as a result of which he sustained injuries dangerous to his life.

In the facts and circumstances as enumerated hereinabove, the petitioner does not deserve the concession of regular bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a prayer has been made by the learned counsel for the petitioner for issuance of directions to the trial court for expeditious conclusion of the trial in the wake of the long incarceration of the petitioner.

Since the petitioner has been in custody since 26.03.2019, the trial Court shall make earnest efforts to conclude the trial expeditiously, preferably within a period of five months from today.

(MANJARI NEHRU KAUL)
JUDGE

24.03.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No