

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

**CRM-M-25009-2023**

**Date of Decision: 14.07.2023**

Gehni Ram

...Petitioner

vs.

State of Punjab

...Respondent

**Coram :    Hon'ble Mr. Justice N.S.Shekhawat**

Present :    Mr. Gurnoor Singh Sethi, Advocate  
by the petitioner.

Mr. M.S.Bajwa, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.0299 dated 31.08.2020 registered under Sections 307, 353, 186, 332, 506, 269, 270, 188, 427, 148, 149 of IPC and Section 51 of Disaster management Act, 2005, at Police Station Patran, District Patiala (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner is a poor and rustic villager, who has been falsely implicated in the present case. As per the complainant, the present petitioner had allegedly caused injury with a stick on the face of PHG Ramphal Singh, which was declared to be grievous. Learned counsel further contends that the medical examination of the said injured was conducted by Dr. Bhargav, Medical Officer. As per the MLR dated 30.08.2020 (Annexure P-2), at the time of examination, the condition of the injured was calm, conscious, cooperative, well oriented to time and place and person and later on, the injury was manipulated by the police, in collusion with

the doctors. Learned counsel further submits that the petitioner was arrested on 06.03.2023 and is in custody since then. The challan has been presented and the charges are yet to be framed. As per the list of witnesses appended with the challan, the prosecution has to examine 31 witnesses and the conclusion of the trial will take a long time. He further contends that the principal accused Baba Garib Dass @ Garib Gir has been granted concession of regular bail by this Court vide order dated 10.11.2020 in CRM-M-36067 of 2020. Still further, one of the co-accused Suraj Bhan has been granted concession of interim anticipatory bail by this Court, vide order dated 08.05.2023 in CRM-M-23168 of 2023.

On the other hand, learned State counsel has vehemently opposed the grant of concession of bail on the ground that there are serious allegations against the present petitioner and he does not deserve the concession of bail by this Court. He further contends that four other FIRs have been registered against the present petitioner. However, he admits that in two FIRs, cancellation reports have been presented and in one more FIR is under investigation and is yet to be arrested. However, in one case, he has been convicted and he is on bail.

I have heard learned counsel for the parties and perused the record with their able assistance.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

**14.07.2023**  
hemlata

**(N.S.SHEKHAWAT)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |