

CRM-M-40696-2022

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

CRM-M-40696-2022

Date of decision: 11.04.2023

Ravi Kumar @ Mahi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. G.S.Salana, Advocate for
Mr. F.S.Virk, Advocate,
for the petitioner.

Ms. Ishma Randhawa, Additional AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.23 dated 30.06.2019, registered at Police Station GRP, Patiala, District Patiala, under Sections 307, 323, 148, 149 and 201 IPC and Section 25 of the Arms Act, 1959.

Status report dated 10.04.2023 by way of affidavit of the Deputy Superintendent of Police, Sub Division, Govt. Railway Police, Punjab, Patiala, filed in the Court today, is taken on record. Copy of the same has been supplied to the counsel opposite.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that complainant-injured, namely, Jaspal Singh alias Mani, while appearing before the trial Court as PW 1, has not supported the prosecution version and has been declared

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hostile; that the petitioner has been in custody since 14.03.2020 and that out of 27 prosecution witnesses, only 11 witnesses have been examined so far.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner has been attributed gun-shot injury on the back of the complainant, and that as per the MLR issued by the concerned doctor, there were as many as two injuries on the person of the complainant and details of the same are as under:

- “1. Single gun-shot entry wound at right poster-lateral lower thorax at the level of 10th rib, with no exit wound seen.*
- 2. Left ear 2 c.m. laceration over posterior aspect.”*

Learned State counsel further submits that injury No.1 on the person of the complainant was declared as 'grievous to life', whereas injury No.2 was declared as simple in nature. Learned State counsel further submits that in view of the nature of gun-shot injury received by the complainant, the petitioner does not deserve the concession of bail.

I have heard the learned counsel for the parties.

Though the petitioner has been attributed gun-shot injury on the back of the complainant, yet the fact remains that he has been in custody since 14.03.2020; that the complainant while appearing before the trial Court as PW 1 has not supported the prosecution version and that 11 prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

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In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.04.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No