

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-38656-2023

Date of Decision:-11.08.2023

Ranjan.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Parunjeet Singh, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,
Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.98 dated 11.03.2023 under Sections 148, 323, 506, 149 IPC (Section 326, 307 IPC added later on) registered at Police Station Bawani Khera, District Bhiwani.

2. The brief facts of the case are that the statement of Sandeep Singh @ Meetu was recorded to the effect he was running a scrap shop in front of the Gurudwara. Pawan son of Joginder was the son of his aunt. Ramkishan and his sons Ranjan (petitioner), Suresh and Sonu along with their family members had quarrelled with his cousin Pawan on 6.3.2023. Pawan had got registered a case against the Ramkishan etc. Keeping in mind this grudge on 10.03.2023 at about 3.00 in the afternoon while he (complainant) was coming to a shop at that time Ramkishan, Manohar and Puran son of Nihal Chand threatened to kill him and spoke of revenge. Later while he (complainant) was sitting at his shop at about 8'O Clock in the night when Ranjan (petitioner), Suresh and Sonu sons of Manohar, Vinod along with 2 /3 boys armed with sticks, rods and red chillies in their hands put them in his (complainant's) eyes. When he ran towards the road,

they caught him and inflicted injuries on his right eye, hand, feet and other parts with sticks and rods. They also snatched Rs.50,000/- and threatened to kill him. Hearing this noise his uncle Kartar Singh and brother Charanjit Singh came to the spot and arranged a vehicle and took him to General Hospital, Bawanikhera for treatment from there he was referred to Bhiwani and from there the doctor referred him to PGIMS Rohtak. Legal action was sought against the accused.

3. The Counsel for the petitioner contends that the petitioner belongs to the Scheduled Caste community and the complainant party had often threatened and ridiculed him and his family members. An earlier occurrence had taken place on 6.3.2023 where cross cases had been registered by the petitioner side and the complainant party. In the instant case, no specific role had been attributed to the petitioner. As the petitioner was in custody since 13.06.2023, the report under Section 173(2) Cr.PC already stood submitted, but none of the 22 prosecution witnesses had been examined so far, he was entitled to the concession of bail more so when in the one other case registered against him he has been granted the similar concession.

4. The Counsel for the State on the other hand contends that serious allegations have been levelled against the petitioner and his co-accused. Therefore the nature of allegations did not entitle him to the grant of bail. He, however concedes that petitioner is in custody since 13.06.2023 and none of 22 prosecution witnesses have been examined so far and in the one other case registered against him, he has been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be established during the course of the Trial. Admittedly the petitioner is in custody since 13.06.2023 and none of the 22 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation his further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Ranjan** son of Sh. Ram Kishan is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.
9. If the petitioner or any of his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this Court.
10. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from the trial without sufficient cause.
11. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 11, 2023
Vinay

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