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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-9564-2024
Date of decision:-18.07.2024

RAM SINGH AILAS RAMNA ALIAS RAMANDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Mandeep Kumar Dhot, Advocate for the petitioner.
Mr. Adesh Pal Singh, A.A.G, Punjab.

SANJIV BERRY, J.(ORAL)

Learned counsel for the State has filed custody certificate dated 17.07.2024, the same is taken on record. Copy thereof has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
114	10.06.2023	324, 323, 506, 109, 148, 149 IPC (326, 201 IPC added later on)	Samana SDR, District Patiala



3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 04.12.2023 and as per the case of the prosecution, only lalkara has been attributed to him. This apart, no specific overt act or injury has been attributed to the petitioner in the case of prosecution and challan has already been presented in Court, conclusion of trial will take sufficient long time, as such he prays for grant of concession of regular bail to the petitioner.

5. Per contra, learned State counsel has opposed the bail application by arguing that the petitioner has actively participated in the occurrence and on the lalkara being raised by him the co-accused caused injury to the complainant-victim. However, he has admitted that challan has been presented in Court for trial.

6. After considering the respective arguments and from perusal of record it transpires that the instant FIR was registered on the statement of the complainant to the effect that he had some dispute with the petitioner and thereafter he received a threatening call from one Bhalwan abusing him and threatened that he will be killed as he had abused the present petitioner. Thereafter, on 09.06.2023 at about 09:00 pm when the complainant was walking, a car stopped near him and out of which 6 persons stepped out armed with weapons and on the lalkara being raised by the petitioner they had caused him multiple injuries.

7. Admittedly, no specific injury is attributed to the petitioner and



as per the case of the prosecution only lalkara is being attributed to him. The petitioner is in custody since 04.12.2023, after completion of investigation, challan has already been presented in Court. The conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no purpose would be served by detaining the petitioner any longer in custody.

8. Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

18.07.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |