



CRM-M-10349-2024

-1-

**224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-10349-2024
Decided on : 10.12.2024

Rajan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.B.S.Goraya, Advocate with
Mr. S.S.Bhullar, Advocate and
Mr. S.P.S.Sandhu, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.53 dated 28.04.2021 under Sections 307, 458, 323, 324, 326, 506, 148, 149, 201 IPC and Sections 25, 54, 59 of Arms Act registered at Police Station Nurpur Bedi District Rupnagar.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 30.09.2022; the petitioner allegedly inflicted a fire arm injury on the right elbow of the complainant Maninder Singh. It has been contended by the learned counsel for the petitioner that the petitioner has been falsely implicated in the instant case. It has still further been asserted by



CRM-M-10349-2024

-2-

the counsel that there is no likelihood of the trial concluding in the near future as 10 prosecution witnesses still remain to be examined. It has been further asserted that since both the material witnesses including the complainant Maninder Singh, who sustained injury at the hands of the petitioner, stand examined, there can now be no possibility of the petitioner intimidating/influencing the witnesses or tampering with evidence. Hence, in the given circumstances, the petitioner deserves to be enlarged on bail.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he disputed the stage of trial, and the factum of all the material witnesses having been examined before the trial Court. However, it has been submitted by the learned State counsel that the material witnesses while stepping into the witness box had stood their ground and supported the case of the prosecution. Hence, it left no manner of doubt, that the petitioner had not been falsely implicated in the present case as had been submitted by the learned counsel for the petitioner. Learned State counsel has further submitted that the petitioner has previous criminal antecedents as it is a matter of record that he is facing trial in a number of other criminal cases. In support, learned counsel for the State has placed on record the custody certificate of the petitioner. A perusal of the custody certificate reveals that the petitioner is still in custody in at least three of the other criminal cases, which stand registered against him.



CRM-M-10349-2024

-3-

4. I have heard learned counsel for the parties and perused the material placed on record.
5. The possibility of the trial concluding in the near future seems not possible as 10 witnesses still remain to be examined. The petitioner has been attributed a single injury on the right elbow of the complainant, who has since been examined before the trial Court. The next date of hearing fixed before the trial Court is 23.12.2024.
6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
7. 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.

10.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

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