



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

CRM-M-23116-2024

Date of Decision:-04.07.2024

Ramu Ram.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

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

Present:- Mr. Deepak Aggarwal, Advocate for the Petitioner.

Mr. Inderjeet Singh Ladher, AAG, Punjab.

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.30 dated 02.04.2024 under Sections 308, 323, 148, 149 IPC registered at Police Station Nathana, District Bathinda.

2. The present FIR came to be registered at the instance of Chanda Devi and reads as under:-

“ Chanda Devi wife Khamania Das son Kamal Das resident of Ward no. 5 post office street, Bhuche Mandi, age about 50 years, mobile number 98153-25640, that I am a stated resident of the said address and working as a laborer, my husband died about 15 years ago, I am staying in my house with my family. On 15/3/24 at around 7.30 PM at night I was present at my house and then Babu Ram son of Chandu Ram was empty handed, Sankar son of Babu Ram armed with brick, Ramu son of Chandu Ram armed with brick, Moria son of Chandu Ram armed with brick all residents of Bhucho Mandi came and Ramu threw his brick at me which hit my head then Ramu threw his brick at me which hit my eye then I screamed that killed-killed. officials PCR came and admitted me,



then Malkit Singh son of Babu Ram, Dhaniya also came on the sport and kept abusing me and my family, then Babli son of Hukama Ram who is my nephew got me admitted to CHC Bhucho for treatment where the doctor bandaged me and referred me Bathinda, then my nephew admitted me to neurospine and trauma center for treatment and due to injuries, I was unconscious and today I have gained conscious and got my statement recorded. The cause of dispute is that the family of Sankar had complained that my family has abused the family of Sankar and due to this grudge Babu Ram, Sankar, Ramu have caused me injuries and Malikit Ram and Dhaniya were watching the fight I got my statement recorded to you, heard it and read it. It is correct."

3. The Counsel for the petitioner contends that it is case of version and cross version and on the statement of the petitioner a cross case has been registered vide DDR No.12 dated 16.03.2024 has been registered under Section 323 and 34 IPC against the present complainant party. The present FIR has been registered after an unexplained delay of 18 days. The alleged injured his hail and hearty. As the petitioner was in custody since 02.04.2024, the report under Section 173(2) Cr.PC stood submitted and none of the 13 Pws had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, the petitioner was entitled to the concession of bail.

5. The Counsel for the State on the other hand contends that as the petitioner is the main accused, therefore, he was not entitled to the concession as prayed for. He however, concedes that the petitioner was in custody since 02.04.2024, none of the 13 Pws have been examined so far and that it is case of version and cross version.

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

7. Admittedly, it is case of version and cross version. In the present case it is yet to be adjudicated as to which party was the aggressor



side. The petitioner is stated to be in custody since 02.04.2024 but none of the 13 Pws have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Ramu Ram** son of Sh. Chandu Ram 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.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)

JUDGE

July 04, 2024

Vinay

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