



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

CRM-M No.31997 of 2024
Date of decision: 8th August, 2024

Pardeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vansh Chawla, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.329 dated 29.10.2023 under Sections 323, 325, 459, 506, 379-B of the IPC (Sections 394, 201 IPC added later on) registered at Police Station Sadar Mansa, District Mansa.

2. Learned counsel for the petitioner submits that he has been in custody since 31.10.2023 and till date charges have not yet been framed, even though challan was presented on 24.01.2024. While drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-1, it has been submitted that a false and fabricated version has been brought against him; the injuries allegedly attributed to the petitioner are all blunt force injuries.



Learned counsel, still further, submits that the petitioner has clean antecedents and is not involved in any other criminal case. A prayer has therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed the stage of trial nor has it been disputed that the injuries sustained by the complainant were all blunt force injuries. However, learned State counsel has reiterated the allegations levelled against the petitioner in the FIR in question, which stands reproduced hereunder:

“Statement of Raghveer Singh alias Leela son of Major Singh resident of Musa aged about 43 years mobile no. 798611243, stated that I am a resident of the said address, I work as a labourer, I have 2 kilas of land. I am married. But sometime after my marriage, my wife left me and went to her parents' village, she has not come till today. I live alone at my house. That in the evening, boys from the neighbourhood use to come to my house for drinking pegs etc. I do not have means to make my own bread. That my uncle's son Harpal Singh son of Sain Singh use to give me food at my house. Yesterday at 8-00 o'clock in the night, my uncle's son Harpal Singh left after giving me food. After that I was alone in my house on 28-10-23, the time would be 8-40 in the night, the light bulb was on in my room. Our neighbour's son Pradeep Singh, son of Gurjant Singh, resident of Musa, who was drunked



came to my house and entered my room and started saying to me that you should take out a bottle of liquor and give me a peg or give me money. I told him that I don't have liquor. Then Pradeep Singh picked up the iron pipe lying by the door of my room and hit me on the forehead and I fell down from the bed. While I fell down, he hit me second time with iron pipe at my eye, then he kicked my body several times to which I should not to kill me, Then Pardeep Kumar hit me two three hits on my right leg. While going, Pardeep took Rs 2000 from my pocket and threatened by saying that you have been taught a lesson not to give the liquor. After that I fainted. Next day morning my uncle's son Harpal Singh came with tea and after seeing my injuries he arranged the vehicle and took to Government Hospital Mansa, where I am under treatment. Appropriate legal action should be taken against Pradeep Singh. LTI Raghvir Singh”

4. It has also been submitted by the learned State counsel, on instructions, that the next date of hearing fixed before the trial Court is 09.08.2024 when charges are likely to be framed.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. As not disputed, the petitioner has been attributed blunt force injuries on the person of the complainant. He has been in custody for almost ten months, having been arrested on 31.10.2023. Since 16 witnesses have been cited by the prosecution, trial would take



considerable time to conclude as even charges have not yet been framed. In the facts and circumstances, as enumerated hereinabove, this Court, thus, deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

August 8, 2024
rps

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