

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

CRM-M-45488-2023

Date of Decision:-30.01.2024

Ranjit Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

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

Present:- Mr. Kushagra Mahajan, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, Assistant Advocate General, 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.75 dated 21.05.2023 under Sections 295-A, 323, 324, 307, 427, 452, 148, 149 IPC, Section 295-A deleted and Section 295 added later on registered at Police Station Chattiwind, District Amritsar.

2. The present FIR came to be registered at the instance of Jonsan @ John Kotli which reads as under:-

“ Statement of Sh. Jonsan @ John Kotli son of Sh. Ashok Masih resident of House no. 103, Sh. Ram Avenue, Majitha Road, Police Station Sadar Amritsar, aged about 50 years phone number 9501420004 stated that I am the resident of above stated address and I am president of Sukhpal Rana Church Ministry Rajewal Chowk Amritsar and today on 21.05.2023, a Masih conference (Sammelan) was going on in our above said Church in which a lot of

people came from faraway places. Time would be about 11:30 in the morning, some persons in the outfit of Nihang Singhs came there in 3/4 vehicles who were armed with sharp edged weapons who were presided over by Ranjit Singh Nihang Singh, who after entering into the boundary walls of our church where the conference was going on, started tearing/ripping off our religious book "Bible" and started causing injuries to the followers and during this time, Kulwinder Singh son of Balwinder Singh resident of Thathian Police Station Jandiala tried to stop them, then Ranjit Singh Nihang, with the intention to kill, attacked him with the Sword he was carrying and Kulwinder Singh quickly retreated and saved himself from the attack and the kirpan hit in the middle of his forehead due to which said Kulwinder Singh became injured and the other companions of Ranjit Singh Nihang also attacked the followers and more devotees among the congregation were injured due to the kirpan blows and the vehicles bearing number PB-46-X-2149 Mark Datson Colour White, PB-10-HR-6422 mark Maruti Car colour white and PB-10-Y-5151 mark Innova colour grey parked in the parking were also vandalized. When the followers/devotees sitting inside the Pandaal came to know about this incident, then they started gathering at the spot of occurrence in the parking then the persons who came there in the outfits of Nihang Singhs fled from there along with their companions and at the time of fleeing, they left their one vehicle bearing number PB-02-U-8005 colour silver at the spot and they fled from the spot along with their respective weapons. Some of the people out of the Devotees, had made a video of the persons fleeing at the spot and they video could be presented or submitted in the shape of Pen drive. I have got recorded my statement to your good self. Relevant legal action be taken against the above said accused persons. I have got heard and read over the statement, which is correct. I have been waiting for the people of my community till now. Statement is correct Sd/- Johnson John Kotli (Jonshan @ John Kotli above said). Sd/- Ranjit Singh (Ranjit Singh son of Satnam Singh resident of Subhash Colony, House No. 150, Sultanwind Road, Amritsar)".

3. The counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The prosecution version was

completely unbelievable. Taking the allegations to be correct only simple injuries had been attributed to the petitioner. Even otherwise no recovery had been effected from him pursuant to his arrest. As the petitioner was in custody since 03.06.2023 and none of 12 prosecution witnesses had been examined so far, the Trial of the present case is 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 has filed short reply dated 27.01.2024 by way of affidavit of Mr. Sucha Singh, DSP, P.B.I.-NDPS cum Narcotics, Amritsar Rural in court today, which is taken on record. While referring to the said status report, he contends that the petitioner was mentioned by name in the FIR. Specific allegations have been levelled against him. Therefore, the nature of the allegations levelled against the petitioner did not entitle him to the grant of bail. He however concedes that petitioner is in custody since since 3.6.2023 and none of the 12 prosecution witnesses have been examined so far.

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

7. The veracity of the prosecution case against the petitioner shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 03.06.2023 and only 02 out of the 21 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 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-**Ranjit Singh** son of Sh. Dasunda Singh 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 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 the affidavit of the State dated 29.01.2024.

10. 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.

11. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 30, 2024

Vinay

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