



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-62410-2024
Date of decision: December 17th, 2024

Ranbir Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.D. Sachdeva, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.94 dated 19.10.2024 under Sections 115(2), 118(1), 126(2), 324(3), 351(3), 3(5), 118(2) of the BNS registered at Police Station Ghagga, District Patiala.

2. Learned counsel for the petitioner submits that a false and exaggerated version has been brought forth in the FIR in question, which has been annexed as Annexure P-1, against the petitioner. The petitioner has been attributed an injury on the nose of the complainant with a *karah*, which he was wearing at the relevant time. Learned counsel submits that after the petitioner was arrested on 29.10.2024, even though the investigation is complete, however, challan has not yet been presented, hence, there is no likelihood of the trial concluding in the near future.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite has reiterated the allegations levelled in the FIR in question, which stands reproduced hereinunder:

*"This, time, it is registered that statement of Mankaran Singh son of Mani son of Raghbir Singh, resident of Dera Sadharanpur Police station Ghagga, District Patiala, age about 27 years (Mobile No.70879- 08788) recorded by ASI Buta Singh No.1931/PTL. Police post Badshahpur, Police station Ghagga has been received in the police station through PHG Surjit Singh No.30228 for registration of case against **Ranbir Singh @ Babbu**, Harman Singh sons of Jaswant Singh and 02 other unidentified persons, residents of Bakraha, Police station Ghagga, District Patiala under sections 115(2), 118(1)26(2), 324(3), 351(3), 3(5) of BNS Act, the contents of which are, "Stated that I am resident of the above mentioned address and do agriculture work. We are two brothers. My father and my younger brother Manchetan Singh have already gone to America and I alone do the agriculture wok. On 18.10.2024 at about 8.00 PM. I was going to weigh my paddy crop in Bakraba Mandi. I was going alongwith my cousin Tanvir Singh son of Ranjit Singh en my Scorpio car bearing registration No, PB-72A-1957. when we reached near the bus stand, Bakraha then we stayed at Makhan Singh Da Dhaba for some time for some eatable things. I told my cousin Tanvir Singh to have something according to your choice and take the keys, so I was sitting in the car. Then **Ranbir Singh @ Babbu** son of Jaswant Singh, resident of Bakraha came from his village on Activa and told me that why did you turn on the lights of the vehicle. I told him that the lights of the vehicle are off. Because of this, Ranbir Singh started abusing me and grabbed me by the throat, pulled me out of the car and punched me on the nose, who had either worn a Panch or a Karra on his hand. Then in that moment, Harman Singh son of*

Jaswant Singh alongwith 02 unknown persons came on black Scorpio. Then Harman Singh punched me in the left eye as soon as he got off the Scorpio and unknown persons punched me in the right eye. All of them beat me with the kick blows and fist blows while laying on the ground. They inflicted more injuries to me at my head, neck and forehead while I was laying on the ground. They have also inflicted injuries to my cousin Tanvir Singh. Then Ranbir Singh and Harman Singh and 02 unknown persons broke the windows of my car. Thereafter, my cousin Tanvir Singh called his father telephonically and I raised alarm "Marta Marta". So when people gathered, they took the opportunity and fled away on their Aactiva and Scorpio, saying as they went, you have escaped today but we will kill you someday. They also took the mobile phone of my cousin Tanvir Singh. In the meantime, my uncle Ranjit Singh and Malwinder Singh on the car who took me to Civil hospital, Samana on the same car where, I am under treatment. Today, I got my statement recorded to you in presence of my uncle Ranjit Singh, heard, which is correct. So it is requested that legal action be taken against Ranbir Singh @Babbu, Harman Singh sons of Jaswant Singh and 02 other unknown persons, residents of Bakraha, Police station Ghagga, District Patiala. Sd/- Mankaran Singh, confirmed by Sd/- Ranjit Singh son of Avtar Singh, resident of Dera Sadharanpur, verified by Sd/ Buta Singh ASI, Police post Badshahpur, Police station Ghagga Dated: 19.10.2024."

4. Learned State counsel, on instructions from ASI Gurdev Singh, submits that on account of a blow given by the petitioner, the complainant sustained sharp injury on his nose, however, subsequently, Section 118 (2) of the BNS was added in view of the fact that the complainant had suffered a nasal fracture. Learned State counsel, on further instructions, has not disputed the custody period of the petitioner

and has submitted that in all likelihood, challan would be presented very shortly.

5. On a pointed query put to the learned State counsel as to whether the petitioner has any previous criminal antecedents, he, on instructions, has submitted that the petitioner is not involved in any case under the BNS, however, he is facing trial in one case under the NDPS Act.

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

7. Petitioner has been in custody for close to two months having been arrested on 29.10.2022. On account of the petitioner giving a blow to the complainant, the latter suffered a nasal fracture. Other than this, no injury has been attributed to the petitioner.

8. In the given circumstances, more so when the trial would take considerable time to conclude, this Court deems it fit to extend the concession of 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. 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.

9. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

December 17th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No