



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

CRM-M-10630-2025

Date of Decision: 03.03.2025

Nirotam Singh alias Akshay

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. A.S.Khosa, Advocate
 for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.163 dated 20.09.2024 registered under Sections 331(6), 118(1), 115(2), 191(3), 190 of BNS, at Police Station Sadar Fazilka, District Fazilka.

2. Learned counsel for the petitioner contends that as per case of the prosecution, the petitioner alongwith his co-accused had entered into the house of the complainant and gave a kappa blow on the right bicep of the injured. He further contends that the FIR in the present case was got registered by the complainant after a delay of 25 days and the said time was utilized by the complainant in concocting a false version against the petitioner. He further contends that even the prosecution version is highly improbable and the injury, which is attributed to the petitioner, is on non-vital part. The injured has



already been discharged from the hospital and is hale and hearty. The petitioner was arrested on 21.11.2024 and is in custody for the last more than 03 months. After completion of investigation, the challan has already been presented against the petitioner and the trial is not likely to conclude in near future.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case under Section 379-B was ordered to be registered against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner is stated to be in custody since 21.11.2024 and the injured has already been discharged. Further, no charge has been framed against the petitioner by the trial Court, till date and the trial is not likely to conclude in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

03.03.2025
hemlata

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