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

CRM-M-18002-2024

Date of Decision:16.07.2025

RAJIT

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.60 dated 02.07.2023, registered under Sections 302, 341, 325, 324, 323, 148 & 149 of IPC, Police Station Sadar Nakodar, District Jalandhar (Rural).

2. Learned counsel for the petitioner contends that as per the admitted case of the prosecution, the petitioner was empty handed and it has been alleged that the petitioner had caused injuries to Kuljinder Singh, since deceased with kicks blows. By referring to the post-mortem report (Anneuxre P-2), learned counsel contends that the ocular version of the prosecution is not supported by medical evidence. Even otherwise, the petitioner had no motive or enmity with the deceased nor he had caused any injury to him. Learned counsel further contends that in the present case, the supplementary statement of the complainant was recorded and 02 other co-accused namely Rajiv and Manni



were nominated as accused in the present case. However, both of them have been granted the concession of bail. The petitioner was arrested in the present case on 02.07.2023 and is in custody for the last more than 02 years. He further contends that out of total 29 witnesses, no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled 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 carefully.

5. In the present case, as per prosecution, the petitioner had caused injury with kicks to the deceased. However, the medical evidence does not support the version of the prosecution. The petitioner is stated to be in custody for the last more than 02 years and no witness has been examined so far. Moreover, the prosecution has not brought on record any evidence to indicate that the petitioner is in a position to influence the witnesses of the prosecution. Thus, the further custody of the petitioner will not serve any useful purpose.

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.

16.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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