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

CRM-M-23190-2025

Date of Decision:06.05.2025

BABBAL

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. K.B. Raheja, Advocate
for the petitioner.

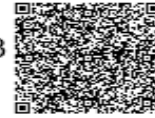
Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.333 dated 23.08.2024, registered under Sections 109 (Section 238 added later on) of BNS 2023, Police Station City Ferozepur, District Ferozepur.

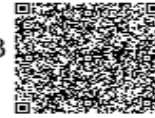
2. The FIR in the present case was registered on the basis of the statement made by Monu son of Raj Kumar and the same has been reproduced below:-

“Statement of Monu son of Raj Kumar, resident of Bus stand Khaiwala, near Taj Palace, Ferozepur city, aged 30 years, mobile no.9988241859 to the effect that I am resident of abovesaid address and is running the shop of Punjabi jutian/shoe near Taj



Palace. Today, at about 2 p.m. I and my nephew Harsh son of Vijay Kumar resident of Basti Bhatian Wali, Ferozepur City were going on motorcycle from Khai Bus Stand to our shop. Motorcycle was being driven by Harsh. Babbal son of Sema, resident of Basti Bhatian Wali was coming on his motorcycle from opposite side. On seeing him, we stopped. Babbal also came to us and stated demanding Rs.2000/- from me. On this, my nephew Harsh inquired that why you are demanding money from us. On this, Babbal started using unparliamentarily language. We stopped him that why he is using unwanted language. On this, he became annoyed and took the kirch from his dub and gave a kirch blow on the neck of my nephew Harsh with intention to kill. My nephew fell down. I raised the noise which attracted the people. On seeing the people, Babbal alongwith his motorcycle and weapon ran away from the spot. I got my nephew admitted in the Civil Hospital, Ferozepur after arranging the vehicle. Doctor gave him first aid and referred to Guru Gobind Singh Medical College, Faridkot, but due to serious injuries our relatives came and we got him admitted in Baghi Hospital, Ferozepur. Motive is that one year back there was a heat of exchange on account of money. Now you have come in the Baghi Hospital. You have recorded the statement. Action be taken. Sd/ Monu son of Raj Kumar abovesaid.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and had no motive to cause injuries to the victim in the present case. Further, the ocular version narrated by the complainant was not corroborated by the medical evidence. He further contends that the injured in the present case has already been discharged from the hospital and the medical opinion has been manipulated by the complainant in the present case. He further submits that the petitioner is in custody since 28.08.2024 and challan has already been presented against him. Moreover, the



prosecution has not been able to examine even a single witness so far and further custody of the petitioner will not serve any useful purpose.

4. 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. However, he admits that there is no other case against the petitioner.

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

6. In the present case, the petitioner is stated to be in the custody for the last more than 08 months and final report under Section 173 Cr.P.C. has been presented against him. The prosecution has not been able to examine even a single witness so far and the trial has not likely to conclude in near future. Moreover, the petitioner is a first offender and was never involved in any other criminal activity.

7. 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.

06.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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