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

CRM-M-24609-2025

Date of Decision:28.07.2025

RAHUL KUMAR @ ROTA

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Gaurav Kalsi, Advocate
for the petitioner.

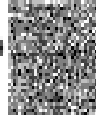
Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

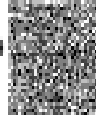
1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.27 dated 08.04.2024, registered under Sections 450, 323, 324, 326, 435, 201, 34 of IPC, Police Station Taragarh, District Pathankot.

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

"Statement of Aman Kumar son of late Palwinder Kumar, resident of Haibat Pindi, Police Station Taragarh, aged about 24 years M.No 88729 16350, has stated that I am the resident of abovementioned address and is running a meat shop on the western side of the village after taking the shop on rent, on 6.4.2024 at about 8:30 PM, I was working on my shop, my brother



Rahul Kumar was also with me, in the meantime Rahul Kumar son of Kuldeep Kumar, resident of Haibat Pindi armed with dattar, Sahil Saini son of Jaswinder Pal, resident of Gajju Jagir armed with datter, Anil Kumar son of Kishan Chand, resident of Raipur Chandigarh armed with dattar came outside of my shop, then the abovesaid Rahul raised lalkara and said that catch hold of him, he used to utter bad things against us. I came out of my shop and I told them that I have never said any bad words against you. then in the meantime, abovesaid Rahul inflicted his datiar blow on my person, which hit in the middle of my head, then abovesaid Sahil Saini inflicted two consecutive blows of dattar on my person, which in order to save myself, I raised my left hand, then both the blows consecutively hit on the inner side of the wrist of my left arm and on the thumb of my left hand. Then Anil Kumar abovesaid have inflicted dattar blow on my person, which hit on the knee of my left leg. I fell down on the ground, while I was laying down, the abovesaid all the persons have gave me beatings and inflicted hidden injuries upon me. I raised alarm Maar Ditta Maar Ditta, then after hearing the noise, the people started gathering, then the abovesaid all assailants have ran away from the spot along with their respective weapons, then my brother Rahul Kumar @ Kaka and Atul Sharma, resident of Taragarh, got me admitted at Civil Hospital Pathankot, after arranging the conveyance. There, doctor gave me first-aid and issued medical report and discharged me. The abovesaid all persons have again forcibly entered in our house along with their weapons and have taken away our two motorcycles out of which one motorcycle Hero number PB.35.AD.2871 and second motorcycle Pulsar number PB.18.S.5679 by coming in the courtyard of our house and Rahul son of Kuldeep Kumar abovesaid have caused loss by setting the same on fire in front of his house. The grudge is that, they all are suspicious on me that I am talking exaggeratedly against them with the people. Due to this grudge, have injured me by inflicting



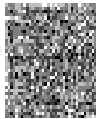
injuries and have caused loss by setting my both motorcycles on fire. I along with my brother Rahul Kumar @ Kaka were going to police station for informing, you have met, legal action be taken against the abovesaid persons. Statement got recorded and heard. Sd/- Aman Kumar.”

3. Learned counsel for the petitioner contends that the occurrence in the present case had taken place on 06.08.2024, whereas the FIR was got registered by the complainant after a delay of 02 days. He further contends that during the course of investigation, the petitioner and Sahil Saini, co-accused were arrested by the police. By referring to order Annexure P-3, he contends that Anil Kumar, co-accused has already been granted the concession of bail by a co-ordinate Bench of this Court on 04.11.2024 in CRM-M-30314-2024. He further contends that the petitioner was arrested in the present case on 08.04.2024 and is in custody for the last about 01 year and 03 months.. Even the injured in the present case has been discharged long ago.

4. 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 was ordered to be registered against him. However, he has been acquitted in the said case

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

6. In the present case, the petitioner is in custody for the last about 01 year and 03 months and the prosecution has been able to examine only 01 witness so far. Moreover, co-accused namely Anil Kumar has already been granted the concession of bail by a co-ordinate Bench of this Court on



04.11.2024 in CRM-M-30314-2024 (Annexure P-3). Thus, the further custody of the petitioner will not serve any useful purpose.

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.

28.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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