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

CRM-M-29323-2024

Date of decision : 26.03.2025

Rawinder Singh @ Manav**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Brijeshwar Vashist, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to him in case FIR No.66 dated 03.04.2023, under Sections 323, 324, 379-B, 411 of IPC (added later on) and 34 of IPC, 1860, registered at Police Station Kotwali, District Patiala, Punjab.

2. Succinctly facts of the case are that the FIR in the present case has been lodged on the statement of Sonu Kumar son of Ram Prakash Chaudhary. It was alleged that on 02.04.2023 at about 06:30 PM, he was standing near Lamba Bakery, Patiala then three persons riding a motorcycle make Splendor of Black Colour came from Modi College Chowk side and driver of the motorcycle gave a cut near him. When complainant enquired from them about this act. They stopped the motorcycle and stated that they are residents of Majri and started abusing him. One of them snatched his mobile phone. When he demanded his mobile phone, they started slapping him. In the meantime, Kamaldeep Singh, friend of complainant and his friends reached at the spot. One of



the assailants gave knife blow on right thigh and brick bat blow on face of the complainant and then they fled away from the spot. The complainant was shifted to the Rajindra Hospital, Patiala for his treatment by Kamaldeep Singh. Later on, it has come to know that the assailants who had beaten the complainant were Mana, Gulu and Laddu, all residents of Dhuru Majri, Patiala. Request was made to take legal action against the culprits. On registration of the FIR, investigation commenced. During investigation, on the basis of secret information received on 18.04.2023, the police party apprehended petitioner-Rawinder Singh @ Manav. He approached the Court of learned Sessions Judge, Patiala praying for grant of bail. However, after hearing counsel for both the sides, the same was declined vide order dated 19.08.2023. Hence, being aggrieved petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in this case. He has submitted that in all there are 03 accused, out of which, Deepanshu @ Laddu has already been granted regular bail by this Court vide order dated 06.02.2024 passed in CRM-M-4204-2024 and one is yet to be arrested. He submits that the petitioner is behind bars since the date of his arrest however, there is no possibility of the trial being concluded in the near future as out of 11 prosecution witnesses, only 04 witnesses have been examined till date. He submits that though the petitioner is involved in other cases, however, he is on bail in those cases. He submits that in the facts and circumstances of the case, petitioner deserves to be granted regular bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the petitioner was duly

identified by the complainant. He has placed on record the custody certificate of the petitioner. He, on instructions, has submitted that out of 11 prosecution witnesses only 04 witnesses have been examined so far.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 18.04.2023 and as submitted that out of 11 prosecution witnesses, only 04 witnesses have been examined till date. Custody certificate filed by the State shows that petitioner has suffered incarceration of 01 year 11 months and 05 days as on 25.03.2025. It would further reflect that though petitioner is involved in other cases, however, he is on bail in the same.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

26.03.2025
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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