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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(209)

CRM-M-41852-2025 (O & M)
Date of decision: 08.08.2025

Jatinder Pal Singh Rana

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sandeep Sharma, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 of the BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.0050 dated 09.04.2025 under Sections 109, 115(2), 118, 351(2) of BNS, 2023, registered at Police Station Garhshankar, District Hoshiarpur, Punjab.

2. The present FIR came to be registered at the instance of Navdeep Kaur and reads as under:-

Statement of Navdeep Kaur, daughter of Surjit Singh, resident of village Simbli. Police Station: Garhsankar, district Hoshiarpur, age about 19 years, mobile number 98154-78407, stated that I am a resident of the above address and I am a pharmacy student at Rayat Bahra College, District Ropar. My father Surjit Singh and mother Kulwinder Kaur, who are suffering from polio since birth, are being taken care of by me

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and my brother Gurupkar Singh S/o Surjit Singh, resident of village Simbli, age about 25 years. On 8/4/2025, at 8:00 PM. I and my brother Gurupkar Singh left home for a walk after eating dinner. When we, both siblings, were walking in the street near Aganwadi Center. Simbli in the village and were returning home at around 8:30 AM, Jatinderpal Singh Rana S/O Harbans Singh r/o Simbli, Police Station: Garhshankar, District Hoshiarpur district, was standing with a sharp knife in his right hand. He got angry and told my brother Gurupkar Singh that today I will have to kill you. As soon as I saw this, Jatinderpal Singh Rana, with the intention of killing my brother Gurupkar Singh, stabbed him on the right side of his chest and upper right arm. For the third time, Jatinderpal Singh Rana stabbed my brother Gurupkar Singh on the right side of his face. My brother fell on the ground and blood started oozing out from his chest. I begged Jatinderpal Singh Rana a lot to leave my brother, but he did not listen to me and kept kicking my brother even after he had fallen. I ran to my house and told my father Surjit Singh about this in a panic. On which, my father and I Surjit Singh came. Where Jatinderpal Singh Rana while abusing me and threatening my brother and father fled from the spot along with his weapon. On which I and my father Surjit Singh called my brother's friend Taranjit Singh S/O Gurmeet Singh resident of Simbli Police Station: Garhsankar, District Hoshiarpur on the spot and the three of us arranged a vehicle for my brother Gurupkar Singh and got him admitted in Civil Hospital Nawanshahr district Shaheed Bhagat Singh Nagar. Where the doctor gave my brother first aid, but since my brother's condition was critical, the doctor referred my brother. On which we three of us referred took my brother Gurupkar Singh from Civil Hospital Nawanshahr and admitted him to Livasa Hospital. Nawanshahr District Shaheed Bhagat Singh



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Nagar, where my brother is under treatment. The reason for the enmity is that my brother Gurupkar Singh and Jatinderpal Singh Rana had some dispute of which I am not aware of. Jatinderpal Singh Rana, with the intention of killing my brother Gurupkar Singh has caused injuries to him and has endangered his life. Strict Legal action be taken against Jatinderpal Singh Rana S/o Harbans Singh, resident of village Simbli, Police Station: Garhsankar, District Hoshiarpur. I have got recorded my statement in the presence of my father Surjit Singh, I have been read over my statement, which after hearing is stated to be correct. SD/-Navdeep Kaur.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be correct, no offence under Section 109 of BNS, 2023 (Section 307 IPC) is made out. The injured was discharged from the hospital in a satisfactory condition. As the petitioner is a first-time offender, in custody since 09.04.2025 but none of the 12 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner brutally assaulted the injured-Gurupkar Singh. Therefore, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is a first-time offender, in custody since 09.04.2025 and that none of the 12 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

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6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, in custody since 09.04.2025 but none of the 12 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Jatinder Pal Singh Rana is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

9. The present petition stands disposed of.

10. The pending application(s), if any, shall stand disposed of accordingly.

August 08, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No