



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CRM-M-48907-2024

Date of decision: 18.02.2025

Pardeep Khanna @ Lucky Khanna

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Harpreet Singh Multani, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Naveen Sharma, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.40 dated 13.05.2024 under Sections 341, 323, 324, 148, 149, 506 of the IPC (Section 324 of the IPC deleted and Sections 325/307/295-A of the IPC added lateron) registered at Police Station Daresi, District Ludhiana.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 06.06.2024 for allegedly inflicting a simple injury with a *datar* on the left arm of injured Manjinder Singh. It has been argued by the learned counsel that the petitioner is a 60 year old man, who has been falsely implicated in the present case; investigation in the present case is complete as not only challan stands



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but now even charges have been framed, however, the possibility of the trial concluding in the foreseeable future looks remote as none of the 23 prosecution witnesses have been examined so far.

3. Per contra, learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel has reiterated the allegations levelled in the FIR which stand reproduced hereinunder:-

“Statement of Manjinder Singh @ Bhalla son of Rampal Singh Resident of House No. 1737, Gali No. 1, Mohalla White House Abdullahpur Basti Ludhiana, aged about 36 years, Mobile No.9988803109, gave a statement that I am residing with my family at above mentioned address and I am married and I have three children. From last two years, I am working with a liquor contractor. That on 12.05.2024 around 09:00 PM I was going from liquor vend at Mohalla Bal Singh and liquor vend at Madhav Pulli, then on my way in front of Gali No.5, New Madhavpuri, Lucky Khanna and Sonu Gulati stopped me. In the meanwhile, there accomplices Lakshay Khanna son of Lucky Khanna resident of Mohalla Fatehganj near Baba Than Singh Chowk, Ludhiana, Binny Nagpal son of unknown, resident of Mohalla Fatehganj, Ludhiana, Ashu son of unknown, Atul son of unknown and 8-10 unknown persons, holding weapons reached on the spot then all of them attacked me and my companion Varinder Singh then Lakshay Khanna attacked me on my head with an iron rod which he was holding in his hand. Then Lukcy Khanna took 'Daatr' from some accomplice and started hitting me on my left arm. Because of which I fell on ground then Binny Nagpal and Sonu Gulati and others started hitting on my legs with Gandasa's which they were holding in their hands. And other accomplices also gave beating to me and my companion with their respective weapons. We started shouting "Maar Ditta, Maar Ditta". After hearing our screams, people started gathering. After seeing the gathering all the accused fled from the spot with their weapons. Some passerby called my brother-Gurcharan Singh on his Phone. He reached on spot on his private vehicle and took me in injured condition, took me to Deep Hospital Ludhiana, where doctor started giving treatment and admitted me to the Hospital. Attackers also took my



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turban and committed sacrilege by disrespecting my hair by removing my turban. They threatened me to kill while leaving and said they will kill me, I do not mend my ways. Legal action may kindly be taken against Lucky Khanna, Lakshay Khanna, Binny Nagpal, Atul, Sonu Gulati and Ashu. Sd/ Manjinder Singh confirmed by Brother Gurcharan Singh. Verified by Sukhdev Singh ASI, PS Daresi Ludhiana. Dated 13.05.2024."

4. It has been argued by learned State counsel that although the petitioner has been attributed only a simple injury with a *datar* on the left arm of the injured, however, he was one of the active participants in the occurrence in question wherein two persons were inflicted multiple injuries by the other co-accused. Learned State counsel, on further instructions, has not disputed that the petitioner has been in custody since 06.06.2024 and charges stand framed in the present case.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner, who is a 60 year old man, has been in custody since 06.06.2024. The trial would take considerable time to conclude as none of the 23 prosecution witnesses have been examined so far. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.



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8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

18.02.2025

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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