



CRM-M-53330-2024 (O&M)

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(102+203)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53330-2024 (O&M)

Date of Decision: 14.02.2025

RAJNISH KUMAR CHAUHAN ALIAS SONU

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sidhant Vermani, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Vaibhav Narang, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

CRM-6309-2025

The present application has been filed by the applicant-petitioner
for placing on record Annexure P-9.

For the reasons mentioned in the application, the same is
allowed and Annexure P-9 is taken on record.

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The prayer in this 2nd petition under Section 439 Cr.P.C./483
BNSS, 2023 is for the grant of regular bail in case bearing FIR No.157 dated
06.08.2023 (Annexure P-3) registered under Sections 367, 323, 325, 506,
148, 149 IPC at Police Station Gate Hakima, Amritsar.



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2. The present FIR came to be registered at the instance of Surinder Singh S/o Late Balbir Singh and the same reads as under:-

“Statement of Surinder Singh Son of Late Balbir Singh Resident of House No. 58 Street No.21-B Fateh Singh Colony Police Station Gate Hakima Amritsar Age 30 Years Mo: 84278-51910 stated that I am a resident of the said address and I am working as a cosmetologist. On 05-08-2023 the time would be 10:30/11:00 AM I was installing cameras in my house that one Rajneesh Chohan aka Sonu living in my street and his wife Roma who lived on the back side of our house accompanied by their servant Monu and three or four unknown youths whose names I do not know and I can identify them when they appear. All of them gathered at the house of Rajneesh Chohan. I was taken inside by them and after closing the main gate of the house, Rajneesh Chohan @ Sonu hit my right leg twice or thrice with iron rod (Sariya) and other persons also had baseball bats and iron rods etc. They started beating me with weapons, I screamed loudly and cried. Rajneesh Chohan alias Sonu and his wife Roma used to threaten me loudly that I will not leave you today as you are installing cameras. Everyone kept beating me. My elder sister Sharanjit Kaur, wife of Anil Sharma, resident of Fateh Singh Colony, Amritsar, and my elderly mother Amarjit Kaur, started shouting MAR DITTA outside their gate. When my family members opened the door and came inside, they all slipped away with their own hand weapons and my sister saved me from them with great difficulty and brought me out to the street where I arranged a ride and stopped by the police where I was admitted to Civil Hospital Amritsar with a doctor, where my treatment is going on, Rajneesh Chohan along with his wife Roma, Monu servant and three or four unidentified persons dragged me in front of their house with the intention of abducting me inside Rajneesh Chohan's house with the intention of making a strong bet. Due to the beating, my

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right leg has been fractured and my left arm and other parts of my body have been severely beaten. Luckily my family members came to the gate and rescued me, otherwise they would have killed me. Legal action should be taken against them. SD/- Surinder Singh.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated. The injuries on the person of the complainant have been manipulated by him. As the petitioner was in custody for the last 01 year, 04 months and 06 days but only 01 of the 15 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon, therefore, he was entitled to the concession of bail moreso when he had clean antecedents.

4. On the other hand, the learned State counsel along with the learned counsel for the complainant contend that serious nature of the allegations levelled against the petitioner did not entitle him to the concession of bail as prayed for. Being a neighbour, he was likely to threaten the complainant party, if he was granted the concession of bail. They, however concede that the petitioner was a first-time offender, in custody for the last 01 year, 04 months and 06 days but only 01 of the 15 of the prosecution witnesses had been examined so far.

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

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 for the last 01 year, 04 months and 06 days and only 01 of the 15 prosecution witnesses

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have been examined so far. Therefore, the Trial of 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 on the merits of the case, the present petition is allowed and the petitioner-Rajnish Kumar Chauhan alias Sonu S/o Late Sh. Jawahar Lal is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

14.02.2025

JITESH

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