



CRM-M-59602-2024

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

CRM-M-59602-2024

Date of Decision: 12.05.2025

Bharat Bhushan @ Ravi Painter
Versus

..... Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Naveen Batra, Advocate, for the petitioner.

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

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.142 dated 12.06.2024 under Section 307, 323, 324, 341, 427, 148, 149 IPC (Section 325 and 326 IPC added lateron), registered at Police Station Model Town, District Hosiarpur.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Paramjit Singh. It was alleged by the complainant that on 10.06.2024 at about 07:30 p.m. after closing his shop, he was about to leave for his house, however, in the meantime, six boys on two Splendor motorcycles duly armed with *datar*, *khanda*, iron rod, *danda* and baseball bat came to his neighbour Rana Sahib. Rana Sahib raised *lalkara* to kill the complainant and teach him lesson. On his raising *lalkara*, one of the persons gave *datar* blow on his head, another gave *khanda* blow on his head, which hit left hand on thumb and fist. Then the first persons again with intention to kill him gave *datar* blow on his head which hit on his back on the right side. One young man gave *khanda* blow, which hit on his left hand. Thereafter, the third person also gave *khanda* blow which hit on his left leg and another young man also gave injuries on left thigh, knee, right arm, left shoulder and on right hand. Thus, request was



made to take legal action against the accused. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrested on 25.08.2024. The petitioner approached the Court of learned Additional Sessions Judge, Hoshiarpur praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 03.10.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the petitioner is not named in the FIR, however, during the investigation, he has been falsely implicated in the present case. He submits that as per the investigation, the petitioner has not been attributed injuries for the offence under Section 307 IPC as he has been shown to be armed with a *khanda*, which was allegedly given on the ankle of the complainant. He submits that the petitioner is behind bars since the date of his arrest. He submits that though he has been prosecuted in one more case, however, he is on bail in that case. He submits that prosecution has not been able to examine any witness and the trial is being delayed only in order to prolong the incarceration of the petitioner. He submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner had



played an active role in the commission of offence and he was armed with *khanda* and caused injuries to the complainant on his left ankle, left hand and back side. However, he submits that as per investigation, the injuries given by the petitioner were grievous. He submits that the investigation is complete and charges are framed, however, out of total 22 prosecution witnesses, none has been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is inferred that the occurrence in the present case was taken place on 10.06.2024 and the petitioner was arrested on 25.08.2024. The injuries attributed to the petitioner was on the ankle of the complainant and as submitted before this Court the same was not dangerous to life. Out of total 22 prosecution witnesses, no witness has been examined. As reflected from the custody certificate, the petitioner has suffered incarceration of 08 months & 14 days as on 09.05.2025. Though the petitioner is involved in one more case, however, he is on bail in the same.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

	(RAJESH BHARDWAJ)	
	JUDGE	
12.05.2025	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No