



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-47782-2025

Date of Decision:-03.09.2025

Rajinder Bhatia @ Harjinder Bhatia.

.....Petitioner.

Vs.

The State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Kulwinder Singh Lakhanpal, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 483 BNSS is for grant of the grant of regular bail to the petitioner in case FIR No.043 dated 28.05.2025 under Sections 326, 190, 191(3), 33 and 324 BNS, 2023 registered at Police Station Rawalpindi, District Kapurthala.

2. The present FIR came to be registered at the instance of Hardeep Lal @ Deepa and reads as under:-

“ Statement of Hardeep Lal @ Deepa son of Mohan Lal resident of Begumpur, Police Station Rawalpindi, District Kapurthala aged about 30 years Mob. No.95016-48707. It is stated that I am resident of the above address and I work as a labourer. On 23.05.2025 I went to Phagwara to meet my relatives. Then I came to know that Ashok Kumar son of Sansar Chand, resident of Begumpur, Harjinder Bhatia alias Bunty son of Sheetal Das, resident of Begumpur, Ram Ji Lal son of Sansar Chand, resident of Begumpur and other unknown persons all together have set fire to the gate of my house and the goods inside the house, then I came home at



around 11:30 PM and saw that they had broken the gate of my house and the gate of the house of Raj Kumar son of Bakshis Lal, resident of Begumpur with weapons and had also thrown bricks and had went inside my house and had broken the gate of the house, the gate of the bathroom, the gate of the room inside the house, the drum, the washing machine, the refrigerator with weapons and had set fire to the beds inside the house due to which the clothes and other goods inside the room were burnt and the roof tiles were also burnt which I am quite sure that this act was done by Ashok Kumar son of Sansar Chand, resident of Begumpur, Harjinder Bhatia alias Bunty son of Sheetal Das, resident of Begumpur and Ram Ji Lal son of Sansar Chand, resident of Begumpur, have committed the crime along with unknown persons with common intention. I have got recorded my statement to you which is heard and found to be correct. Appropriate legal action should be taken against the accused. Sd/-Hardeep Lal."

3. The learned Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The FIR was registered after a gap of 06 days of the alleged occurrence. The co-accused of the petitioner have been granted the concession of interim anticipatory bail by this court vide order dated 18.08.2025. As the petitioner is in custody since 16.06.2025, but none of the 11 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 allegations levelled against the petitioner and his co-accused do not entitle him to the concession of bail. He however concedes that the petitioner is a first time offender, in custody since 16.06.2025, none of the 11 Pws has been examined so far and that the co-accused of the petitioner have been granted the concession of interim anticipatory bail.

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 stated to be in custody since 16.06.2025 and none of the 11 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, his further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Rajinder Bhatia @ Harjinder Bhatia** son of Sh. Shital Dass 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. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 03, 2025

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>