

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

CRM-M No.40970 of 2016

Date of Decision: January 09, 2017

SANTOKH SINGH

-PETITIONER

VS

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.V.K. Sandhir, Advocate
for the petitioner.

Mr.Shilesh Gupta, Addl. AG, Punjab.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner seeks regular bail in a case FIR No.22
dated 19.03.2016 under Section 302/341/148/149 IPC,
registered at Police Station Bhindi Saidan, District Amritsar.

The complainant Amarjit Singh alleged that his
brother Satnam Singh was residing with his family in village
Kotla Suraj Luhar and other brothers including the complainant
are living in village Adiwal.

On 19.03.2016, buffalo of Satnam Singh was stolen

by someone, for which information was given to the police station. For the purpose of attending police proceedings, the complainant was called by his brother Satnam Singh. When the complainant along with son of his maternal uncle namely Sukhdev Singh reached in the street, then the assailants namely Jagjit Singh, Kulwinder Singh, Malkit Singh, Harpreet Singh and Santokh Singh were found standing in the street duly armed with weapons. They had blocked the passage. In the meanwhile, brother of the complainant returned on his motorcycle. All the assailants stopped him. Santokh Singh caught hold of Satnam Singh and exhorted that he may not be spared as he had levelled false allegation of stealing the buffalo. Jagjit Singh inflicted two sword blows on nose, eyes and chin of Satnam Singh. Second assailant namely Kulwinder Singh gave two sword blows on the forehead and left shoulder of Satnam Singh. Third assailant namely Malkit Singh gave two sickle blows on teeth as well as on front chest of left hand side. As a result thereof, Satnam Singh fell down. Fourth assailant namely

Harpreet Singh gave sickle blow on the ankle of right leg.

Petitioner is alleged to have inflicted two blows with Tomahawk on left ankle and left foot of Satnam Singh. Satnam Singh died on the spot on account of injuries on his person. The cause of death of Satnam Singh was found to be hemorrhage as well as neurological shock.

Learned State counsel on instructions from ASI Jagbir Singh submitted that during course of investigation, Kulwinder Singh was found to be innocent. Co-accused Kulwinder Singh was attributed two sword blows on the forehead and left shoulder of Satnam Singh.

Learned counsel for the petitioner submitted that the injuries attributed to the petitioner are only on left ankle and left foot which cannot be treated to be fatal injuries in view of cause of death of deceased Satnam Singh. The charges have been framed. The petitioner is in custody since 21.03.2016. The case involves arguable background. No prosecution witness has been examined so far. The trial of the case may take some time to

conclude.

In view of aforesaid, the case of the petitioner can be considered for grant of regular bail.

In view of the said circumstances, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing appropriate bail bonds/surety bonds to the satisfaction of the trial Court.

(RAJ MOHAN SINGH)
JUDGE

January 09, 2017

jyoti Y.

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No