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

**CRM-M-5992-2016 (O&M)
Date of Decision: 08.05.2017**

SATWINDER SINGH @ SATTI

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. G.S. Sidhu, Advocate
for the petitioner.

Mr. P.P. Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.51 dated 23.04.2015, registered under Section 323, 341, 302, 148, 149, 427 IPC at Police Station Baragudha, Distt. Sirsa.

The FIR was registered at the instance of Janta Singh with allegations that Veerpal Kaur wife of Sukha Singh @ Maruti was kept by Geeta @ Gurjeet Singh. On 22.04.2015, the complainant party went to take the aforesaid Veerpal Kaur on the asking of Geeta @ Gurjeet Singh. In the alleged occurrence, Geeta @ Gurjeet Singh took Sukha Singh @ Maruti and Veerpal Kaur took Labh Singh inside the Dera. The complainant was

made to sit on a cot, then Veerpal Kaur and Geeta @ Gurjeet Singh started inflicting injuries. The complainant and Labh Singh ran away from the Dhani due to fear. 5-6 more persons came with muffled faces duly armed with *dandas* and gave blows on the person of the complainant party and caused injuries to them. Sukha Singh @ Maruti died on account of injuries received by him.

Learned counsel for the petitioner submitted that the petitioner has not inflicted any injuries to the deceased, rather the injuries were inflicted to the witnesses. The first bail application was got dismissed at that stage vide order dated 23.09.2015. Thereafter statements of the complainant, eyewitnesses Ram Singh and Labh Singh were recorded, who have not supported the case of the prosecution.

Learned State counsel on instructions from ASI Rajbir Singh submitted that out of 13 prosecution witness, 7 prosecution witnesses have been examined and now the next date is fixed for 08.06.2017 for examination of remaining prosecution witnesses.

At this stage, without making any observation *qua* merits of the case, I deem it appropriate to consider the case of the petitioner for grant of regular bail. *Prima facie* the complainant has not supported the case of the prosecution and

the petitioner has not been attributed any injury on the person of the deceased.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 08, 2017.

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No