

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

CRM-M-992 of 2017(O&M)

Date of decision: 21.8.2017

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Vinod Kumar Kaushal, Advocate
for the petitioner.

Mr.K.S. Aulakh, DAG, Punjab.

Mr.S.S.Majithia, Advocate
for the complainant.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner –
Satnam Singh – an accused in FIR No.85 dated 14.6.2015, under Sections
307, 323, 324, 148 and 149 IPC, registered with Police Station Chatiwind,
District Amritsar Rural.

Briefly stated, the prosecution story is that FIR in this case
was registered on the statement of complainant Major Singh son of
Hazara Singh of Bazigar community, resident of Iban Khurd, Police
Station Chattiwind, Amritsar Rural aged 44/45 years, a labourer by

avocation, who stated that he has three sons, namely, Baldev Singh, Shamsheer Singh and Harpreet Singh; that since there was street in front of their house, motorcycle etc. used to pass at high speed through it; that a few days earlier the grandson of his neighbour namely Dhira Singh son of Pala Singh came to their house and was playing in the street, then an unidentified person driving motorcycle at a high speed hit him injuring the leg of Dhira Singh; that then it was decided by the residents of the street that a speed breaker be constructed in front of house of complainant; that on 14.6.2015 at about 9:30 a.m., when the complainant along with his son Harpreet Singh @ Happy, Shamsheer Singh etc. was constructing speed breaker with bricks, then Bhajan Singh son of Faqir Singh came there on a motorcycle and he objected to construction of speed breaker; that all of them tried to convince him that construction of speed breaker is for convenience of everybody and one of the children has already received injuries but Bhajan Singh was not convinced and threatened that he would see them. After about 10 minutes, Bhajan Singh empty handed, his son Gurpreet Singh armed with a gandasi, Gurvinder Singh armed with a brick, Gurdial Singh armed with a dang, Rajbir Singh @ Raj armed with a dang, Prabhjot Singh armed with a dang, Satnam Singh armed with a baseball bat, Rattan Singh armed with a brick, Jagir Kaur wife of Bhajan Singh, Sita wife of Swaran Singh, Beeri daughter of Fazir, Baljinder Singh Kaur wife of Surinder Singh and Chhebo wife of Satnam Singh having bricks came there and on a lalkara being raised by Sarwan Singh, Satnam Singh having baseball bat in his hand attacked Harpreet Singh with an intention to kill him and struck him on the back side of his head

and he fell down. Then Gurpreet Singh armed with a gandasi gave a blow with said weapon to the complainant hitting him on his head; that Gurwinder Singh throw brick on the head of complainant whereas other persons inflicted injuries upon them. As a result of attack complainant, his son Harpreet Singh, Shamsher Singh, Hira Singh and Paramjit Kaur received injuries. They were taken to hospital where they were medically examined. Harpreet Singh was found to have serious injury on head and he was referred to Guru Ram Dass Hospital, Amritsar. Accused was arrested in this case. He is facing trial. He had moved an application for regular bail in the Court below but the same was dismissed vide order dated 19.10.2016 passed by Additional Sessions Judge, Amritsar, as such, he has approached this Court with the same request.

Notice of the petition was given to respondents. The complainant appeared through Sh.S.S.Majithia, Advocate and respondent – State appeared through State counsel.

I have heard learned counsel for the petitioner, learned State counsel assisted by learned counsel for the complainant besides going through the record.

Learned counsel for the complainant has contended that the petitioner is a quite volatile and aggressive person and while in custody, he has been making phone calls to the common acquaintance of the complainant and threatening that the moment he is released on bail, he would settle score with complainant and his family members and a copy of the CD in that regard has been placed on record.

On the other hand, learned counsel for the petitioner has

contended that petitioner is behind the bars since long. The conclusion of trial is to take considerable time and as such the instant petition be allowed.

However, taking into consideration all the facts and circumstances including the grave and serious nature of allegations against the petitioner, I find that no ground for grant of regular bail is made out. The injury on the person of Harpreet Singh injured which was declared dangerous to life is attributed to petitioner – Satnam Singh. There could be reasonable possibility of petitioner absconding and tampering with the prosecution evidence, if released on bail.

Therefore, finding no merits in the petition, the same stands dismissed.

However, while parting the discussion, the trial Court is directed to make earnest endeavour for expeditious disposal of the trial by granting short dates.

21.8.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No