

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

**CRM-M No. 3275 of 2018
DATE OF DECISION :- March 15, 2018**

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. D.S. Kahlon, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Saurav Kanojia, Advocate for the complainant.

This petition for regular bail has been filed by petitioner Satnam Singh, an accused in F.I.R. No. 85 dated 14.06.2015 for offence under Sections 307, 324, 148, 149 IPC registered with Police Station Chattiwind, District Amritsar.

Briefly stated the facts of the case as per the prosecution story are that F.I.R. in this case was registered on the statement of 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, Shamsher 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, Shamsher 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 Sigh, Beeri daughter of Fazir, Baljinder Kaur wife of Surinder Singh and Chhebo wife of Satnam 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.

The petitioner had filed a petition for regular bail earlier bearing CRM-M-992 of 2017 (O&M) which was dismissed vide order dated 21.8.2017. Now he has come up with 2nd petition for regular bail for reason that the matter has since been compromised between the parties.

Notice of that petition was issued. The complainant has appeared through counsel who concedes the factum of compromise having been arrived at between the parties.

Learned State counsel on instructions from ASI Pal Singh from Police Station Chattiwind, Amritsar states that the matter has actually been compromised between the parties.

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

Without going into the merits of the case and that fact that the trial is likely to take some time, I find that it would be in fitness of things if the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Amritsar subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.

(iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

**(H.S. MADAAN)
JUDGE**

March 15, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No