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

**CRM-M No.47689 of 2017
Date of Decision: 11.01.2018**

VIKRAMJIT SINGH @ BIKRAMJIT SINGH
.....Petitioner

Vs
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. G.B.S. Dhillon, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.194 dated 20.08.2017, registered under Sections 307, 379, 323, 324, 452, 506, 148, 149 IPC and Sections 25, 27, 54, 59 of the Arms Act at Police Station Sadar, District Ludhiana.

FIR was registered on the statement of Amar Singh against Hirdaypal Singh and unknown persons. Complainant, his brother and his friend Harvinder Singh were present at the spot. Hirdaypal Singh armed with sword came along with 10/12

unknown persons, who were also armed with deadly weapons like rods and swords. They entered the shop and raised *lalkara*. Hirdaypal Singh gave a sword blow on the head of the complainant's brother which landed at the back of his head. Unknown persons started inflicting injuries with their respective weapons. Brother of the complainant became unconscious and fell down on the floor. When the complainant tried to save him, Hirdaypal Singh gave sword blow on his head which was warded off and the blow landed on the hand of the complainant. Other persons inflicted injuries on the person of the complainant and his friend Harvinder Singh. They also caused damage to the property and committed theft of Rs.70,000/- which was lying in the cash counter box. Hirdaypal Singh also took out his revolver and gave threats.

Learned counsel for the petitioner submitted that Amar Singh and Mandeep Singh were admitted in hospital and were also medico-legally examined. Supplementary statement of Mandeep Singh was recorded on the same day under Section 161 Cr.P.C. in which complicity of the petitioner came to fore that he gave *danda* blow at the back of Mandeep Singh.

Learned counsel further submitted that as per MLR of Mandeep Singh, five injuries were found, out of which four were found to have been inflicted with sharp edged weapon, whereas

one injury was found to be inflicted with a blunt weapon. The blunt injury was declared to be simple in nature. Regular bail has been declined to the petitioner primarily on the consideration of the case that he was involved in an unlawful assembly.

Learned State counsel on instructions from ASI Preet Pal Singh submitted that challan has already been presented and the next date before the trial Court is 23.01.2018 for framing of charges.

At this stage, without adverting to the merits of the case, since the petitioner is the author of simple injury and the trial may take some time in its conclusion, I am of the view that petitioner can be enlarged on bail.

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.

January 11, 2018

Atik

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No