

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

**CRM-M No. 33762 of 2019
Date of Decision:-06.11.2019**

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Satnam Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 26 dated 18.2.2019, under Sections 323, 325, 148, 149 IPC (Section 302 IPC added later on), registered at Police Station Goindwal Sahib, District Tarn Taran. The petitioner is in custody since 10.3.2019.

As per FIR, on 08.2.2019, at about 3 pm, when the complainant Gurpreet Singh was coming back to his house, accused Satnam Singh @ Sattu struck his motor-cycle into his motor-cycle from behind and after spoken filthy language to him, he went to his house. At about 7 p.m. when

the complainant was standing at the main gate of the house, then accused Satnam Singh @ Sattu armed with Dattar alongwith Nishan Singh @ Vicky armed with baseball bat, Sukhchain Singh @ Chena armed with Gandasi, Sarabjit Singh armed with daang and Hardeep Singh @ Sandhi armed with dang came out of the house of accused Satnam Singh and on seeing the complainant, accused Satnam gave datar blow from reverse side, which hit on the ankle of right leg of complainant. Accused Sarabjit Singh gave daang blow, which hit on the upper side of his left knee. Then after raising noise, mother of complainant, namely, Jagir Kaur and father Labh Singh came to rescue him. Thereafter accused Nishan Singh @ Vicky gave a baseball blow to his father Labh Singh, which hit on the backside of his head, resultantly, his father fell down on the same place and became unconscious. Accused Hardeep Singh @ Sandhi caused a daang blow to Jagir Kaur, which hit on the backside of her head. Accused Satnam Singh (petitioner) also inflicted daang blow to Jagir Kaur, which hit on the elbow of her left arm. Thereafter, on raising alarm, many people were gathered at the spot and all the assailants ran away alongwith their respective weapons.

Learned counsel for the petitioner contends that initially the FIR was registered under Sections 323, 325, 148, 149 IPC only and after the death of Labh Singh (deceased), father of complainant Gurpreet Singh, Section 302 IPC was added. Learned counsel further contends that only one injury has been attributed to the petitioner and that was alleged to be caused with *dattar* from its reversed side to complainant Gurpreet Singh on his right ankle. He contends that the said injury was simple in nature as per

the MLR of complainant Gurpreet Singh. He further submits that no injury was caused by the petitioner to deceased Labh Singh. Learned counsel also submits that co-accused Hardeep Singh @ Sandhi has been extended the concession of regular bail by this Court vide order dated 31.10.2019 passed in CRM-M-33274 of 2019. He submits that the trial is yet to start and it will take sufficient time to conclude and prays that the petitioner be released on regular bail pending trial.

On the other hand, learned State counsel, who is assisted by ASI Swaran Singh, has opposed the prayer. However, he does not dispute this fact that the FIR was lodged on 18.2.2019 and charges are yet to be framed by the trial Court. He fairly states that the case of the petitioner is similar to that of co-accused Hardeep Singh @ Sandhi.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Tarn Taran.

The petition is allowed.

November 06, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No