

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23464-2020 (O&M)

Date of Decision:- 26.8.2020

Simranjit Singh @ Simmi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mikhail Kad, Advocate, for the petitioner.

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

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks regular bail in a case registered against him vide FIR No.06, dated 8.1.2020, under Sections 458, 324, 323, 148, 149 IPC (Sections 325, 460, 201, 326, 506 IPC added later on), Police Station Moonak, District Sangrur.
2. Briefly, the allegations, as put forth in the aforesaid FIR, are to the effect that on 07.01.2020 at about 6:30 P.M., Sukhwinder Singh @ Sukhu alongwith his father Pritam Singh, brother Simranjit Singh @

Simi, mother Manjit Kaur and 6/07 unknown persons armed with sharp edged weapons and 'sticks' entered their house. Pritam Singh exhorted the coaccused. Sukhwinder Singh @ Sukhu inflicted 'Kirpan' blow towards the head of Amrik Singh (complainant), who raised the left hand and blow fell on his little finger. Simranjit Singh @ Simi inflicted 'Kirpan' blow on the left side of the forehead and Pritam Singh inflicted 'Gandasa' blow from the reverse side on the right side of the chest of the complainant. An unknown person gave stick blows which landed on the right thumb. An alarm was raised which attracted Budh Singh, the father of the complainant. Manjit Kaur gave 'Kirch' blow towards the abdomen of the father, who fell down, but no loss was caused by said 'Kirch' blow. The dang blow was also inflicted upon him. Pritam Singh had inflicted 'Gandasa' blow below the elbow of Budh Singh. An alarm was raised which attracted the people and the assailants slipped away.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that it is a case where only one of the injuries has been declared as a grievous injury and which is on the little finger and is attributed to Sukhwinder Singh. Learned counsel has further, submitted that since co-accused have already been granted bail, the petitioner also deserves the same concession on grounds of parity.
4. Opposing the petition, learned State counsel has submitted that although grievous injury is not attributed to the petitioner but since he was accompanying other accused and armed with sharp-edged

weapon, no case for grant of bail is made out. It has however been informed that the petitioner is not involved in any other case and has been behind bars since last about 5 months and 17 days.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the present case and that the petitioner has been behind bars since last about 5 months and 17 days and that the grievous injury is not attributed to the present petitioner and some of the other co-accused namely Pritam Singh, Manjit Kaur and Mani Singh have already been granted bail, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

August 26, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No