

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

CRM-M-26022-2020

Date of decision: **9.9.2020**

SUKHWINDER SINGH @ SUKHU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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

Mr. Randhir Singh Thind, DAG, Punjab.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.6 dated 8.1.2020 under Sections 458, 324, 323, 148, 149 IPC at Police Station Moonak, District Sangrur.
2. The FIR was registered at the instance of Amrik Singh wherein it is alleged that on 7.1.2020 he along with his brother Sandeep Singh and some other persons were sitting near bonfire, due to cold weather. Pritam Singh was also sitting near them. In the meantime Sukhwinder Singh @ Sukhu (petitioner) came there and started using filthy language against his own father (Pritam Singh) upon which complainant's brother Sandeep Singh tried to reason out with him resulting in heated arguments between Sandeep Singh and Sukhwinder Singh @ Sukhu. Upon intervention of

other persons both of them went back to their houses. Later at about 6:30 p.m. Sukhwinder Singh, his father Pritam Singh and his brother Simranjit Singh @ Simmi, his mother Manjit Kaur accompanied by 6-7 unidentified persons entered into the house of the complainant. Sukhwinder Singh @ Sukhu and Simranjit Singh were both armed with '*Kirpan*'. Pritam Singh was armed with '*Gandasa*' and Manjit Kaur was carrying a '*Kirch*'. The remaining 6-7 unidentified persons were also carrying sticks and swords. Pritam Singh raised '*Lalkara*' that all the members of the family be taught a lesson for having entered into an argument with Sukhwinder Singh. Sukhwinder Singh is alleged to have given a blow with '*Kirpan*' towards to the head of the complainant but the same landed on the little finger of the left hand of the complainant. Simranjit Singh @ Simmi is alleged to have given a blow with '*Kirpan*' on the forehead of the complainant. Thereafter Pritam Singh is stated to have caused injures from the reverse side of '*Gandasa*' on the chest of the complainant. Another unidentified man attacked the complainant with stick. Upon the complainant raising alarm, his father came forward to rescue him but Manjit Kaur attacked complainant's father Budh Singh with a '*Kirch*'. Other unidentified persons caused injuries to his father with the help of sticks while he was lying down. Pritam Singh is stated to have given a blow with '*Gandasa*' to complainant's father Budh Singh on his left elbow. After causing injuries the accused ran away along with their weapons.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and is attributed a grievous injury on the little finger of the complainant. It has further been submitted that the

petitioner in any case has been behind bars since last 6 ½ months and that the petitioner deserves grant of bail on parity as other accused namely Pritam Singh and Simranjit Singh @ Simmi have already been extended concession of bail by this Court vide orders dated 14.8.2020 passed in CRM-M-21888-2020 & 26.8.2020 passed in CRM-M-23464-2020 respectively.

4. Opposing the petition, learned State counsel has submitted that since the petitioner was armed with a 'Kirpan' and had also caused grievous injury to the complainant, no case for grant of bail is made out. Learned State counsel has however informed that the petitioner was arrested on 23.2.2020 and that he is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the nature of allegations and the fact that the petitioner has been behind bars since the last 6 ½ months and is not wanted in any other case, 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.

(GURVINDER SINGH GILL)
JUDGE

9.9.2020
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**