

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

Sr. No.202

CRM-M-28399-2020

Date of Decision: September 22, 2020

LAKHWINDER SINGH

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioner, namely, Lakhwinder Singh, for seeking regular bail in case bearing FIR No.131 dated 14.03.2020 under Sections 147, 148, 149, 323, 324 IPC (Section 307 IPC added later on), registered at Police Station Rania, District Sirsa.

Notice of motion.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

As per the version of the prosecution, the aforesaid case was registered at the instance of Surjeet Singh, son of Pal Singh, on the accusations that on 13.03.2020, at about 8:00 p.m., Sukha Singh, son of

Maghar Singh, Satwinder Singh son of Joginder Singh and Chhinda Singh son of Jeet Singh, had inflicted injuries upon his neighbours Mangat son of Jagir Singh and Jagga Singh son of Channa Singh. After sustaining of the injuries, Mangat Singh had come to his house. Thereafter, the complainant had proceeded to take the injured-Mangat son of Jagir Singh to CHC Rania. When he reached at the gate of the hospital, then 10-12 persons were standing in front of the gate, who were not known to the complainant, had started quarrelling with them and they gave lathi and danda blows on the head, near the elbows of both the arms and left foot of the complainant and also gave danda blows on the head and back of Jagga son of Channa Singh, who was accompanying him. Even, these persons had given a knife blow on the abdomen, chest and back of Mangat Singh son of Jagir Singh. After giving injuries, the aforesaid assailants fled away from the spot.

At first instance, the FIR was registered under Sections 147, 148, 149, 323 and 324 IPC. However, addition of offence under Section 307 IPC was made later on. Even, the petitioner-Lakhwinder Singh, has not been named in the FIR. It was only in the supplementary statement got recorded, by the complainant, after a period of two weeks of the registration of the FIR that he mentioned about the person involved in causing of the occurrence to be Lakhwinder Singh instead of Dr. Sukhwinder Singh. Knife blow is allegedly attributed to Lakhwinder Singh.

The petitioner-Lakhwinder Singh, is in custody since 13.05.2020. Challan has though been presented and charge has been framed, but no witness has been examined till date. Also, it is stated that the injured was discharged from the hospital on 24.03.2020 and it was only thereafter, the supplementary statement was recorded and the petitioner was nominated

as accused.

Considering the aforesaid circumstances, without prejudice to the right of the parties to be adjudicated on merits, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of CJM/Duty Magistrate, concerned.

(ARCHANA PURI)
JUDGE

September 22, 2020
Himanshu

Whether speaking/reasoned	Yes
Whether reportable	Yes/No