VIMAL KUMAR
2020.12.01 20:08

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37574-2020
Date of Decision: 01.12.2020

Gurdev Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Tanvir S. Grewal, Advocate, for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered against her vide FIR No.75 dated 01.06.2020 under Sections 341, 323, 148, 149, 307, 302, 188 IPC at Police Station Chhajli, District Sangrur (Sections 307, 302 & 188 IPC added later on).

2. The FIR was registered at the instance of Amritpal Singh wherein it has been alleged that on 01.06.2020 at about 7:30 a.m. when Mewa Singh, Gurdev Singh, Satnam Singh, Charanjit Kaur, Mangta Singh Satti, Jodha Singh and Kewal Singh were standing near Dharmshala Street, then complainant's uncle Bhola Singh was passing through the street. The said persons attacked Bhola Singh. It is stated that Satnam Singh gave a blow with '*Gandasi*' to Bhola hitting on his head, Satti gave a blow with chain on the right side of Bhola Singh's head. When complainant and his brother Gurdeep

Singh tried to rescue him then Kewal Singh gave a blow with stick to complainant's brother Gurdeep Singh. Mangta Singh is alleged to have given a blow with brick to Gurdeep. Kewal is also stated to have caused injury with stick to Gurdeep on his shoulder. Mewa Singh gave a blow with reverse side of '*Gandasi*', which hit in the center of complainant's head while Jodha Singh attacked him with brick. It is further submitted that Gurdev Singh and Charanjeet hurled abuses to them.

3. Learned counsel for the petitioner has submitted that the petitioner who is aged about 66 years has been falsely implicated in the present case and that in any case even as per the FIR, the only role attributed to the petitioner is that he had hurled abuses to the complainant party.

4. Opposing the petition, learned State counsel has submitted that since the petitioner was part of an unlawful assembly which had murdered Bhola Singh, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner has been behind bars since the last 5 months and that he is not involved in any other case.

5. Having considered the rival submissions addressed before this Court and while noticing the fact that the petitioner is stated to be aged about 66 years and is not involved in any other case and that the only role attributed to him is that he had hurled abuses, 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.

01.12.2020 **(GURVINDER SINGH GILL)**
Vimal **JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**