

In virtual Court

CRM-M-39856-2020

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

**CRM-M-39856-2020 (O&M)
Date of decision: 03.12.2020**

Satnam Singh @ Satta

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Vishal Garg Narwana, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.58 dated 26.09.2019 under Sections 147, 148, 149, 302, 323 IPC, registered at Police Station GRP Jind, District GRP Ambala Cantt.

Learned senior counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Shivam, it is stated that on 25.09.2019, in the evening, petitioner Satnam Singh had telephonically called his brother Harjit @ Jeeta that some fight has took place on 23.09.2019 regarding driving of motorcycle by Ankit and Vishal. Some

settlement is to be arrived at, for which they will come to the railway station. Upon this, Harjit, complainant, Ankit and brother-in-law of the complainant Amit @ Meeru reached at Paleti. There, Vishal, Sonu both real brothers, Jobin, Nitin and one boy, whose name is not known, were standing. On reaching, all six boys suddenly attacked Harjit @ Jeeta. Sonu gave poker blow on head and neck of Jeeta, Jobit hit with punch, Vishal hit with rod and rest of three caught hold of Harjit @ Jeeta and gave kick and fist blow to over power him. Thereafter, Sonu attacked the complainant with poker on his left wrist and finger. In defence, the complainant side also attacked them by picking stones from railway track and in the meantime, they fled away from the spot. Harjit became unconscious and taken to the hospital, where he was declared dead.

Learned senior counsel for the petitioner further submits that except for the allegations that the petitioner has given a telephone call to the complainant side to come at the railway station for effecting some compromise, there is no evidence, as it is case of the prosecution that the petitioner was not present at the spot. It is further submitted that the investigation is complete and during the investigation, no call details of the petitioner with the deceased has come on record, as same is not part of the report under Section 173 Cr.P.C. It is also submitted that the petitioner is in custody since 29.09.2019; charges have been framed, however, out of 20 PWs, none has been examined so far.

Learned State counsel has not disputed the factual position that in the challan, there is no document referring to the investigation qua call details of the petitioner with deceased.

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After hearing learned counsel for the parties, without commenting anything on merits of the case and looking into the allegations against the petitioner and also considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.12.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No