

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

1. CRM-M No.37345 of 2019

Vikramjit Singh @ Baba @ Nihang

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.37622 of 2019

Ranjit Singh @ Sonu

... Petitioner

Versus

State of Punjab

... Respondent

3. CRM-M No.39708 of 2019

Amarjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 8th June, 2020

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Krishan Sehajpal, Mr. Gautam Dass
and Mr. Narinder S. Lucky, Advocates for the petitioners.

Mr. Sandeep Vermani, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Navkiran Singh, Advocate for the complainant.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on
account of outbreak of pandemic COVID-19.

The above detailed three regular bail applications under Section 439 Cr.P.C. by accused petitioners Vikramjit Singh alias Baba alias Nihang, Ranjit Singh alias Sonu and Amarjit Singh respectively, having been filed in the same very FIR bearing No.306 dated 28.11.2018 under Sections 452, 323, 324, 326, 307, 342, 120-B, 353, 186, 427, 148, 149 IPC and Sections 25, 27 of the Arms Act pertaining to Police Station Division No.6, District Jalandhar, are being taken up and decided together by way of this common order.

The present case has been got registered by injured complainant Shashi Sharma claiming to be a Human Rights/Social Activist running an organization. It is alleged that he had mediated in a dispute between Dr.Balwinder Singh Walia and others as a consequence of which on 27.11.2018 afternoon while he along with his son injured Kartik was present in the office premises along with their gunman, accused petitioners along with their accomplices in large number armed with pistols, hammers and other dangerous weapons, trespassed into their office premises and started assaulting the complainant and his son. The allegation against petitioner Ranjit Singh alias Sonu Pehalwan is that he grappled with the gunman after placing pistol on his head and forcibly snatched from him his sten gun. The allegations against petitioners Amarjit Singh and Vikramjit Singh alias Baba alias Nihang are that they along with their co-accused, have caused 15 injuries to the complainant

and his son and the latter's hand from thumb was chopped and all the injuries were opined to be dangerous to life.

On behalf of the petitioners, it is inter alia contended that petitioner Amarjit Singh is newly married and has aged parents to look after and so the other two accused namely Amarjit Singh and Vikramjit Singh alias Baba alias Nihang, who all are in custody since more than one-and-a-half years and that the trial is not proceeding. It is submitted that only simple injuries have been attributed to petitioners namely Amarjit Singh and Vikramjit Singh alias Baba alias Nihang, contending further that two of the co-accused have been allowed bail and therefore prayer for grant of bail to the petitioners has been made.

Learned State counsel Mr. Sandeep Vermani, Addl. Advocate General, Punjab assisted by Mr. Navkiran Singh, Advocate representing the complainant, though has not displaced the facts but has strongly opposed the bail to the petitioners submitting that the accused are intentionally delaying the trial and are not cross-examining the witnesses with an ulterior motive to stifle the same. Learned State counsel has further argued that if allowed bail there is every likelihood that the accused would threaten the witnesses, and has sought to reproduce the mayhem of the occurrence whereby in broad day-light at a public place the accused armed with deadly weapons had run amuck and taken the law in their hands, which would have adverse impact on the society.

Going through the lengthy arguments of the prosecution and the petitioners side, records of the case are reflective of the enormity of the manner of this occurrence wherein the accused petitioners have not only been specifically named but the photographs too corroborate it. The accused are shown to be armed with deadly weapons and have given innumerable injuries to the complainant and his son, and it is by providence they have escaped death. More so, apprehension of the State that if allowed bail the petitioners might stifle the trial, is not unfounded. In the light of such a situation, this Court is not inclined to grant any relief to the petitioners. Finding no merit, all the three petitions stand dismissed.

(FATEH DEEP SINGH)
JUDGE

June 8, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No