

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-2676-2021 (O&M)

Date of Decision:- 27.8.2021

Satnam Singh @ Peter

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-28815-2021 (O&M)

Sukhjeet Singh @ Golu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate,
for the petitioner in CRM-M-2676-2021.

Mr. Manjinder Singh Saini, Advocate,
for the petitioner in CRM-M-28815-2021.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Jagdev Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Satnam Singh @ Peter and Sukhjeet Singh @ Golu, seek grant of regular bail in a case registered vide FIR No. 83, dated 1.6.2020, Police Station City-2, Khanna, District Ludhiana, under Sections 323, 324, 427, 506, 148, 149 IPC (Section 307 IPC added later on).
2. The FIR was lodged at the instance of Hardeep Singh wherein it is alleged that on 29.5.2020, when he had gone to his friend Jasdeep's house on a scooty and had parked the scooty outside of the gate of his friend's house, in the meantime 2 motorcycles stopped and on each of which 3 boys were riding. One of them Manish Kumar Pandit gave a blow with 'stick' on the shoulder of the complainant. When the complainant entered into the house of his friend to save himself, Satnam Singh gave two blows of 'iron *dah*' (a long heavy knife having a blade of about 12 inches long with a handle fixed to it) on the back of his head. Golu and Ranjha and one unknown person are alleged to have damaged the motorcycle and scooty of the complainant. When the complainant raised alarm, his friend Jasdeep and other members of his family were attracted to the spot and upon seeing them the accused fled away from the spot.
3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the instant case. It has been submitted on behalf of petitioner-Sukhjeet Singh @ Golu that he in any case is not

attributed any injury and only allegation against him is that he had damaged the scooter of the complainant.

4. Learned counsel for petitioner-Satnam Singh has submitted that although as per FIR he is attributed two blows with '*dah*' on the head of the complainant but in fact the medical report being relied upon by the complainant is in the nature of maneuvered medical report from a private hospital and that he never got himself treated from Government hospital.
5. Opposing the petitions, learned State counsel has submitted that since two blows with a lethal and sharp edged weapon were given by one of the petitioners on the head of the complainant which in fact resulted in a fracture as well, no case for grant of bail is made out. Learned State counsel has further informed that the fracture was noticed when the complainant underwent CT Scan at Rajindra Hospital, Patiala and not from any private hospital. Learned State counsel has however, informed that both the petitioners have been behind bars since the last about 11 months. It has also been informed that while Satnam Singh is not involved in any other case, petitioner-Sukhjeet Singh happens to be involved in a case registered under Section 323 IPC. It has also been informed that till date not even a single PW out of the cited 11 PWs has been examined.
6. I have considered rival submissions addressed before this Court.
7. It is no doubt correct that both the petitioners are specifically named in the FIR and there are specific allegations as well against them particularly against Satnam who is alleged to have caused a

grievous injury on the head of the complainant, this Court, however cannot lose sight of the fact that the petitioners have been behind bars since the last about 11 months and conclusion of trial is likely to consume time as not even a single PW out of the cited 11 PWs has been examined. Petitioner-Satnam who is attributed a grievous injury otherwise has a clean record inasmuch as he is not stated to be involved in any other case. Petitioner-Sukhjeet Singh in any case is alleged to have damaged the scooter of the complainant only.

8. Having regard to the aforesaid facts and circumstances particularly the fact that conclusion of trial is likely to take time, further detention of petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.8.2021

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No