

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

I) CRM-M-4820-2021 (O&M)

Puneet Singh @ Puneet Dhillon ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-4836-2021 (O&M)

Jaspreet Singh @ Jassi Singh @ Joori ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-22.2.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parminder Singh Sekhon, Advocate for the petitioner(s).

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

Mr. Arshdeep Singh Brar, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petition filed on behalf of petitioners Puneet Singh @ Puneet Dhillon and Jaspreet Singh @ Jassi

Singh @ Joori seeking grant of regular bail in respect of a case registered vide FIR No.266 dated 24.12.2019 at Police Station City South Moga, District Moga under Sections 323, 325, 148 and 149 of Indian Penal Code, wherein offence under Sections 307 IPC was added later on.

2. The FIR in question was lodged at the instance of Amandeep Singh wherein it is alleged that he was caused injuries by Jassa Singh @ Juri, who was armed with '*khanda*', Simran Dhaliwal, who was armed with '*khanda*', Ninder Singh, Sharan Dhaliwal and Puneet Dhillon, who were armed with '*khanda*' and 'iron rods' and by Gurbhir Singh who was armed with an iron rod.
3. Learned counsel for the petitioner has submitted that initially when the FIR was lodged on 24.12.2019, the petitioners were ordered to be released on bail as the offences alleged in the FIR were bailable, but subsequently offence under Section 307 IPC came to be added on 5.10.2020 i.e. after a period of about 10 months from lodging of the FIR and it was thereafter that petitioner No.1-Puneet Singh @ Puneet Dhillon came to be arrested on 16.10.2020 and petitioner No.2-Jaspreet Singh @ Jassi Singh @ Joori came to be arrested on 13.10.2020. It has further been submitted that the petitioners, in any case, are not attributed the injury which attract the rigor of Section 307 IPC, which has been attributed to Charat Singh.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that since it is a case where serious offence under Section 307 IPC has been committed, which virtually stands substantiated from the medical evidence, no case for grant of bail is made out. Learned State counsel has, however, informed that after the arrest of the

petitioners on 16.10.2020 and 13.10.2020, respectively, they have now been behind bars since the last more than 4 months and that there is nothing on record to show that the petitioners prior to 13.10.2020 and 16.10.2020 had misused the concession of bail. Learned State counsel has further informed that identically situated co-accused namely Gurpreet Singh @ Gopi and Simranjit Singh have already been granted the concession of bail.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the injury which attracts rigor of Section 307 IPC is attributed to co-accused Charat Singh and that identically situated co-accused have already been granted bail, both the petitions merit acceptance and are hereby accepted. The petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.2.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No