

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

I) CRM-M-4597-2021 (O&M)

Kewal Singh ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-4912-2021 (O&M)

Mangoo Singh @ Mangta Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-10.2.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amandeep Singh Samra, Advocate,
for the petitioner in CRM-M-4597-2021.

Mr. Ishan Gupta, Advocate,
for the petitioner in CRM-M-4912-2021.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab,
assisted by ASI Mehar Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petition filed on behalf of petitioners Kewal Singh and Mangoo Singh @ Mangta Singh seeking grant of regular bail in respect of a case registered vide FIR No.75 dated 01.06.2020 under Sections 341, 323, 148, 149, 307, 302, 188 IPC at Police Station Chhajli, District Sangrur, wherein offences under Sections 307, 302 & 188 IPC were 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(s) have submitted that even if the allegations as levelled in the FIR are taken to be correct, still it is the co-accused Satnam Singh and co-accused Mewa Singh, who were armed with

sharp edged weapons and that while the petitioner Kewal Singh is stated to be armed with a stick, the petitioner Mangoo Singh @ Mangta Singh is alleged to have given a blow with brick to Gurdeep Singh.

4. Opposing the petition, learned State counsel has submitted that since it is a case where Bhola Singh lost his life on account of the injuries caused by all the accused, who formed an unlawful assembly, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last about 8 months and that challan already stands presented. It has further been informed that none of the petitioners is involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. As per FIR, the accused have attacked Bhola Singh and had caused injuries to him. It is Satnam Singh, who gave a blow with '*gandasi*' on the head of Bhola Singh. The petitioner Kewal Singh is alleged to have been armed with a stick and is alleged to have inflicted two blows with the same to Gurdeep Singh. The petitioner Mangoo Singh @ Mangta Singh is alleged to have given a blow with brick to Gurdeep Singh.
7. All the injuries attributed to the petitioners have been declared as simple injuries.
8. Having regard to the aforestated factual position and the fact that the petitioners have been behind bars since the last about 8 months and none of them is attributed any fatal injury, further detention of the petitioners will not serve any useful purpose. The petitions, as such, are accepted and 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.

10.2.2021
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No