

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

CRM-M-4893 of 2021

DATE OF DECISION :- March 16, 2021

Harjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-4315 of 2021

Sukhpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Harmanjot Singh Gill, Advocate for the petitioner
in CRM-M-4893 of 2021.

Mr. J.K. Singla, Advocate for the petitioner
in CRM-M-4315 of 2021.

Mr. J.S. Ghuman, DAG, Punjab.

My this order shall dispose of two petitions for grant of regular bail bearing CRM-M-4893 of 2021 filed by Harjit Singh and CRM-M-4315 of 2021 filed by Sukhpreet Singh, both of them accused in F.I.R. No. 117 dated 23.4.2020 registered with Police Station Sadar Mansa, District Mansa for offences under Sections 307, 341, 323, 148, 149, 188, 269 IPC and later on offence under Section 302 IPC was added vide report No. 54 dated 23.4.2020 and again offence under Section 325 IPC was added vide report No. 29 dated

9.6.2020.

Briefly stated the facts of the case as per prosecution story are that complainant Iqbal Singh, aged about 35 years, son of Darshan Singh, resident of Village Chahlanwali, in the statement made by him to the police stated that he has got wheat husking machine and he had engaged labourers from Village Bheniwal for working on that machine. Some persons from his village raised an objection and asked the labourers not to do work in their village. On 22.4.2020 at about 9.00 P.M. in the evening, when Iqbal Singh along with his brother Jaspreet Singh, Jagveer Singh son of Karamtej Singh and Gurveer Singh @ Mota were returning home after getting free from work and they had turned towards their village Bheniwal side near minor canal bridge, there was enough light on account of glowing of a bulb from nearby electricity pole. Then Kuldeep Singh @ Keepa son of Bogha Singh, Sukha Singh son of Dev Singh, Jagga Singh son of Tirath Singh, Harjit Singh son of Tirath Singh (the present petitioner), Dharmi Singh son of Gurpreet Singh along with 3-4 unknown persons were found standing on the road. They intercepted the complainant and the persons going along with him. Kuldeep Singh @ Keepa gave rod blow to complainant Iqbal Singh hitting him on right side of head. Jagga Singh gave dang blow to the complainant hitting him on head. When Jaspreet Singh, Jagveer Singh and Gurveer Singh intervened to protect the complainant then Kuldeep Singh gave rod blow to Jagveer Singh hitting him on the head. Resultantly, Jagveer Singh fell down. Thereafter the assailants caused injuries to the complainant on his head, legs and arms. The injuries were also caused to Jaspreet Singh and Gurveer Singh. On alarm being raised by the injured when several people started gathering at the spot then the assailants ran away along with their respective weapons. The injured were taken to the hospital.

I have heard learned counsel for the petitioners and learned State

counsel besides going through the record.

Learned counsel for the petitioners have contended that a similarly placed accused namely Gurwinder Singh alias Dharmi had approached this Court for grant of regular bail by filing CRM-M-34214 of 2020 and his such petition was accepted vide orders dated 11.1.2021, copy of which has been placed on record as Annexure P-1 and that the case of the present petitioners is at par of that accused. This fact is not disputed by learned State counsel. Further more from the record it is clear that the fatal blow to Jagvir Singh deceased had been given by Kuldeep Singh, co-accused of the present petitioner and no specific injury has been attributed to either of them. The trial is statedly at the preliminary stage and its conclusion is likely to take some time. Further detention of petitioners accused is not going to serve any fruitful purpose.

In the written reply filed by the State, there is no mention of the present petitioners having any past criminal record. Resultantly, both the petitions are allowed and petitioners Harjit Singh and Sukhpreet Singh are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Mansa subject to the following conditions :-

- (i) they shall appear in the Court on each and every date of hearing.
- (ii) they shall not give any threat or intimidation to the prosecution witnesses.
- (iii) they shall not leave India without prior permission of the Court and shall surrender their Passports, if they have got one, otherwise to furnish affidavits in that regard.
- (iv) they shall not indulge in any criminal activity.
- (v) they shall join the investigation as and when directed by the Investigating Officer.

- (vi) they shall got their presence marked in the local police station on every Saturday of the week between 11.00 A.M. to 2.00 P.M. so that an eye can be kept on their movements and they are deterred from indulging in any criminal activity.

In case the petitioners violate any term and condition on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

March 16, 2021
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No