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

CRM-M-42736-2020

Date of Decision: 07.04.2021

Harbhajan Singh @ Lakhi Singh

.....Petitioner

Vs.

State of Punjab

.....Respondents

214-A

CRM-M-37315-2020

Banty Singh

....Petitioner

vs.

State of Punjab

...Respondent

214-C

CRM-M-7321-2021

Babblu Singh

....Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

**Present: Mr. Brahminder Singh Toor, Advocate,
for the petitioners (in CRM-M-42736 and 37315-2020).**

**Mr. Parminder Singh Sekhon, Advocate,
for the petitioner (in CRM-M-7321-2021).**

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

**These petitions have been filed under the provisions of Section
439 Cr.P.C., for grant of 'regular bail' to the petitioners, in case FIR No. 69,
dated 19.05.2020, registered at Police Station Chajjli, District Sangrur,
for the alleged commission of offences punishable under the provisions of**

Sections 307/323/341/148/149/120-B of the IPC (with Sections 325 and 326 of the IPC having been added later).

A reply by way of an affidavit of the Deputy Superintendent of Police, Sub-Division, Dirba, has been filed (in CRM-M-42736-2020), which is ordered to be taken on record.

In fact the said reply would serve the purpose in respect of the other two connected petitions also, the details qua all accused having been given in the said reply.

A perusal thereof shows that as regards Harbhajan Singh @ Lakhi Singh (petitioner in CRM-M-42736-2020), he is found to have given '*Soti*' blows on the legs of Varinder Singh, Beant Singh and Banta Singh, with offences punishable under the provisions of Section 323 of the IPC therefore found to have been committed (as alleged), qua the injuries on Banta Singh and Beant Singh, but as regards Varinder Singh, the offence alleged is one punishable under the provisions of Section 325 of the IPC, with learned counsel for the petitioner very fairly admitting that in fact there was a fractured suffered in the leg.

As regards Banty Singh (petitioner in CRM-M-37315-2020), he is found to have inflicted injuries on Varinder Singh and Beant Singh as are punishable under the provisions of Section 325 of the IPC, with the injury attributed to him on Banta Singh being one punishable under the provisions of Section 323 thereof.

As regards Bablu Singh (petitioner in CRM-M-7321-2021), he is found to have inflicted '*Soti*' blows on the thigh and elbow of Varinder Singh and Beant Singh respectively, thereby attracting the commission of offences punishable under the provisions of Section 323 of the IPC.

Of course, the aforesaid offences are alleged to have been committed alongwith offences punishable under the provisions of Sections 148/149/120-B & 307 of the IPC, by all the accused together.

It is to be also noticed that the specific injury as would “attract” the provisions of Section 307 of the IPC, has been attributed to one Gagandeep Singh, who is not a petitioner in these petitions.

Since Bablu Singh (petitioner in CRM-M-7321-2021), has been accused of having committed an offence punishable under the provisions of Section 323 of the IPC (though of course along with his co-accused, he is also guilty of offences punishable under the provisions of Sections 307/340/148/149/120-B of the IPC), it is considered appropriate that with no other criminal case registered against him and he having been in custody for the past about 04½ months and with his name not appearing in the original FIR, without making any comment on the actual merits of the case, his petition is allowed. He shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate concerned.

As regards Harbhajan Singh @ Lakhi Singh (petitioner in CRM-M-42736-2020), with one injury specifically attributed to him (as per the case of the prosecution) leading to a fracture on the leg of Varinder Singh, in my opinion he cannot be admitted to bail at this stage.

Consequently, hearing in the said petition is adjourned to 08.07.2021, though of course it is to be noticed that as per the said affidavit there is no other criminal case registered against him.

As regards Banty Singh (petitioner in CRM-M-37315-2020), the attribution to him being of various injuries caused as would attract the

commission of an offence punishable under the provisions of Section 325 of the IPC and with there being other criminal cases also registered against him, learned counsel for the petitioner submits that he may be permitted to withdraw that petition, at this stage.

CRM-M-37315-2020 is ordered to be dismissed as withdrawn.

A photocopy of this order be placed on the file of the other connected cases.

April 07, 2021	(AMOL RATTAN SINGH)
nitin	JUDGE
Whether speaking/reasoned	Yes
Whether Reportable	No.