

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. CRM-M-21339-2021

Sukhveer Singh alias SukhaPetitioner

Versus

State of PunjabRespondent

2. CRM-M-22672-2021

Gurpreet Singh @ GopiPetitioner

Versus

State of PunjabRespondent

Date of decision: - 17.06.2021

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Arun Dulgach, Advocate, for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

This common order is being passed in above-mentioned two petitions, which have been filed seeking the grant of regular bail in respect of FIR No.13 dated 12.01.2021, under Sections 324, 326, 307, 341, 427, 506, 148 and 149 IPC and Section 25 of the Arms Act, registered at Police Station Goraya, District Jalandhar.

Learned counsel for the petitioners argues that the petitioners have wrongly been named in the present FIR and further, there are contradictions in the FIR. Learned counsel for the petitioners submits that only allegation alleged against the petitioner in CRM-M-21339-2021

is that he had caught hold of the injured while being assaulted, whereas, only one injury has been attributed to petitioner in CRM-M-22672-2021. Learned counsel for the petitioners further submits that the challan has already been presented and therefore, the petitioners may kindly be granted the benefit of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that grievous injuries have been inflicted upon the complainant, which has been detailed in the order dated 10.05.2021 passed by the learned Additional District & Sessions Judge, Jalandhar, by which the prayer for the grant of regular bail was declined to petitioner Sukhveer Singh alias Sukha. Learned State counsel further submits that though the challan has been presented, the complainant and other material witnesses are yet to be examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is not disputed that the complainant had suffered four injuries which have been opined by the doctor as grievous and life threatening. Petitioner Gurpreet Singh @ Gopi has inflicted one of the said injuries. Though, the allegations against petitioner in CRM-M-21339-20212, namely, Sukhveer Singh @ Sukha is that he had caught hold of the complainant, but as all the assailants had come with a

common intention to inflict injuries upon the victim, the act of the other assailants are to be treated as attributed to everyone forming the unlawful assembly.

Further while the petitioner Sukhveer Singh @ Sukha caught hold of the victim, victim was attacked with the sharp edged weapon and was inflicted a grievous injury by the co-accused, hence, the said argument cannot be accepted.

In the present cases, the complainant and other material witnesses are yet to be examined and in case, the petitioners, who had inflicted grievous and life threatening injuries are granted the regular bail, the trial as well as the material witnesses are likely to be influenced, which cannot be permitted.

Keeping in view the fact that the allegations alleged against the petitioners are serious in nature and the trial is at such stage where the complainant and other material witnesses are yet to be examined, no ground is made out to grant the bail of the petitioners at this stage.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

June 17, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No