

213

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.23176 of 2021 (O&M)

Date of decision: 05.07.2021

Sukhvir Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.D.S. Sukhija, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Gulshan Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.95 dated 30.03.2021, for offence punishable under Sections 452, 323, 324, 506, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 and 325 IPC added later) registered at Police Station Derabassi, District S.A.S. Nagar, Mohali.

Counsel for the petitioners has argued that as per the allegations in the FIR, registered at the instance of one Manpreet Singh, he along with his father Ajmer Singh, brother Harpreet Singh and his brother-in-law Rahul were present in their fields when all the accused persons 20 in numbers including the petitioners, came there armed with gandasi, rod, sword, danda, etc. and caused multiple injuries to the victim/complainant Manpreet Singh, his brother Harpreet Singh and

CASE HEARD THROUGH VIDEO CONFERENCING

father Ajmer Singh. The injuries have been attributed to all the accused persons collectively.

Counsel for the petitioners, at the very outset, has submitted that without prejudice to the right of the petitioners, they are ready to pay a sum of Rs.20,000/- each (a total sum of Rs.1,00,000/-) to all the 03 victims towards the medical expenses.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail. It is further submitted that as per the Custody Certificate, all the accused persons are in custody for the last about 02 months and they are not involved in any other case.

Counsel for the complainant, on the other hand, has also opposed the prayer for bail on the ground that all the accused persons caused multiple injuries to the victims and in case, they are granted bail, they may repeat the offence.

Without commenting anything on merits of the case, considering the fact that the petitioners are in custody for the last 02 months; the petitioners are not involved in any other case; the custodial interrogation of the petitioners is not required and also in view of the fact that the petitioners are ready to pay a sum of Rs.20,000/- each to the victims and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioners are directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

The petitioners namely Sukhvir Singh, Sarabjit Singh and

CASE HEARD THROUGH VIDEO CONFERENCING

Sukhjit Singh @ Johny, will hand over 03 demand draft of Rs.20,000/- each favouring the victim Manpreet Singh whereas the petitioners namely Harjit Singh and Rajinder Singh will hand over 02 demand drafts of Rs.20,000/- favouring the victim Harpreet Singh and Ajmer Singh, at the time of furnishing bail/surety bonds, which will be disbursed to the 03 victims.

The handing over of all the demand drafts shall be a pre-condition before accepting the bail/surety bonds.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

05.07.2021

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No