

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

210

CRM-M-23604-2021

Date of Decision : July 01, 2021

SATNAM SINGH ALIAS SATTA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Amaninder Singh Sekhon , Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.40 dated 2.7.2020 under Sections 307/323/34 IPC registered at Police Station Bajakhana, District Faridkot.

It has been submitted by the learned counsel for the petitioner that as per the FIR, the complainant had seen the other co-accused namely Balkaran Singh, Manpreet Singh, Satnam Singh alias Satta (Petitioner) armed with daang and hitting his nephews namely Ram Singh son of Tarsem Singh, Kalu Singh son of Malkeet Singh. Furthermore Kalu Singh was asking Balkaran Singh, Manpreet Singh and the petitioner not to beat Ram Singh and when he reached there Balkaran Singh gave kapa blows in the head of Ram Singh in order to kill him. He also gave two kapa blows in the chest of Ram Singh, who fell down on

the ground. Manpreet Singh and the petitioner gave daang blows on the left side of knee of Kalu Singh, who also fell down on the ground.

Learned counsel for the petitioner has submitted that thereafter during the investigation the statement of Kalu Singh alias Pardeep Singh was recorded in which he has stated that the daang blow was given to him by Manpreet Singh and there was no mention of the petitioner. He has submitted that the petitioner has been falsely implicated in the present case and there are material discrepancies between the version of the complainant and that of the injured namely Kalu Singh. He has further submitted that the petitioner is in custody since 6.7.2020 and the investigation of the case is already complete and the challan has already been presented. Thereafter, the charges have been framed but no prosecution witness could be examined because of Covid-19 pandemic. He has submitted that the petitioner is not involved in any other case and, therefore, he may be considered for grant of bail.

Learned State counsel has submitted that it is correct that the petitioner is in custody since 6.7.2020 and he has not disputed the fact that the investigation of the case is already complete and the charges have been framed but no prosecution witness has been examined. He has also not disputed that the petitioner is not involved in any other case. However, he has submitted that the petitioner was a part of the group which had attacked two persons who were injured.

I have heard the learned counsel for the parties.

So far as the custody period of the petitioner is concerned, the same is not disputed by the learned State counsel and it is also not

disputed that the petitioner is not involved in any other case and that the investigation of the case is already complete and the matter is now fixed for prosecution evidence. So far as the discrepancies in the statement of the complainant and the victim are concerned, the learned State counsel has not been able to justify the same at this stage. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with evidence or may flee from justice.

Therefore, considering the totality of the facts and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

(JASGURPREET SINGH PURI)
JUDGE

July 01, 2021
ajay-1

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No