

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

**CRM-M-22287 of 2020 (O&M)  
Date of Decision: 14.01.2021**

**Lakhwinder Singh @ Lakhi Pathar**

**.....Petitioner**

**Vs**

**State of Punjab**

**.....Respondent**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr. Vikas Arora, Advocate,  
for the petitioner.

Mr. Amar Ashok Pathak, Addl. AG, Punjab.

Mr. Jagmeet Singh Moudgill, Advocate and  
Mr. J.S. Bhinder, Advocate,  
for the complainant.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through  
video conferencing.

Petitioner seeks grant of regular bail under Section  
439 Cr.P.C in case bearing DDR No.39 dated 14.01.2020,  
under Sections 308, 341, 342, 323, 148, 149 of IPC. The  
aforesaid DDR has arisen as a cross version in FIR No.15 dated  
14.01.2020 under Sections 307, 427, 506, 148, 149 of Indian  
Penal Code, 1860 and Section 25 of Arms Act, 1959 registered

at Police Station City Sunam, District Sangrur.

The DDR was recorded on the statement of Kapil Sharma @ Mani with the allegations that on 13.01.2020 at about 9.30 to 10.00 PM, he was sitting in a car with his brother and was going to the house. Near Mata Modi Chowk Park Bagha tent was erected. The petitioner, his brother Ganeshi, Vicky, Sonu Bajwa @ Baba, Mita along with 5-6 more unidentified persons cordoned their car. The petitioner attacked the brother of the complainant with an axe but he immediately after alighting from the car fled away. The assailants overpowered the complainant and gave beatings to him and thereafter took him towards the drain. After giving beatings there, they took him in front of the house in the car. They hit the complainant on the head with a flower pot. The complainant fell on the ground then Lakhi Pathar (the petitioner), his brother Ganeshi and his father Balbir Singh @ Balli Halwai hit him on his legs with rods. Unidentified persons also hit him with bricks. With these allegations, the DDR came to be registered.

Co-accused Sonu Bajwa has been granted anticipatory bail vide order dated 10.08.2020 passed in CRM-M-17462-2020.

Police has not presented the challan so far.

Learned counsel for the petitioner relies upon the

compromise by way of affidavit executed by Kapil Sharma wherein the complainant has shown his no objection. The petitioner is in custody since 13.06.2020.

Learned State counsel, however, opposed the bail on the ground that the petitioner is involved in serious offence and grievous injury is inflicted on the person of complainant.

Keeping in view the status of the case wherein challan is still to be presented, the complainant has executed an affidavit in the form of compromise and the petitioner is in custody since 13.06.2020, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of CJM/ Duty Magistrate concerned.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

**(RAJ MOHAN SINGH)**  
**JUDGE**

14.01.2021  
manju

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No