

**CRM-M-46674-2021
& CRM-M-1044-2022**

-1-

237+247

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

Date of decision: 18.01.2022

1. CRM-M-46674-2021

Sandeep Singh

Petitioner

Versus

State of Punjab

Respondent

2. CRM-M-1044-2022

Karnail Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. S.S. Rang, Advocate for the petitioner
in CRM-M-46674-2021.

Mr. Parampreet Singh Paul, Advocate for the petitioner
in CRM-M-1044-2022.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Vijay Lath, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through
video conference.

[2] These two petitions are filed seeking regular bail in FIR

No. 220, dated 5th October, 2021, under Sections 323, 325, 364, 342, 379, 506, 148 and 149 IPC, registered at Police Station Samrala, District Khanna.

[3] Brief facts of the case are that FIR was got registered by Baljeet Singh. The complainant had given his land on lease to Jagtar Singh. After his death, his sons Karamjit Singh, Sarabjit Singh (petitioner) and Sandeep Singh were cultivating the land. The amount of lease money was due. In the year 2021, Karamjit Singh had sown paddy crop but was not able to pay the lease money. On 6th September, 2021, he handed over the keys of tubewell stating that complainant can harvest the paddy crop. Thereafter, Karamjit Singh and petitioner stopped the water for irrigation, on complaint, they were proceeded Sections 107 and 151 Cr.P.C. On 4th October, 2021, complainant was going towards his field in Sumo Car bearing registration No. HR-01L-4022. Karamjit Singh, Sarabjit Singh and Sandeep Singh armed with *dandas*, Karnail Singh armed with iron rod and Palwinder Singh empty handed were standing near their vehicle. There was an altercation as complainant objected to the accused harvesting the paddy crop. Injuries were inflicted on the legs, arms, shoulder and fists blows were given on the face of the complainant. It was alleged that Karnail Singh, Sarabjit Singh and Sandeep Singh forcibly took the complainant in Sumo Car to a shed where they pressurized him to give in writing that no money was due from them.

[4] Mr. S.S. Rangi, Advocate appearing for Sandeep Singh

submits that allegedly petitioner was armed with *danda*, he gave blow on the right hand and injuries attributed to him were declared simple in nature.

[5] Mr. Parampreet Singh Paul, Advocate appearing for Karnail Singh submits that as per the FIR, petitioner was armed with iron rod. The injury attributed to the petitioner is on non-vital part.

[6] They submit that bone of contention was money transaction and possession of land. The allegations of abduction are baseless. There was a fight in which the accused also sustained injuries. They rely upon the fact that co-accused was granted interim anticipatory bail by this Court.

[7] Learned State counsel opposes the prayer for grant of bail. He, on instructions from S.I. Joginder Singh, submits that investigation is complete, challan stands presented.

[8] Though not impleaded as party, Mr. Vijay Lath, Advocate appears for the complainant. He vehemently opposes the prayer for grant of bail.

[9] Having the conspectus of facts, no recovery is to be made, custody period and the facts that conclusion of trial is likely to take time, petitioners are granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[10] The petitions are allowed.

[11] However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[12] Photocopy of this order be placed on the file of connected case.

[AVNEESH JHINGAN]
JUDGE

18th January, 2022
pankaj baweja

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |