

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

I) CRM-M-3082-2021 (O&M)

Arshdeep Singh @ Money ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-29819-2021 (O&M)

Davinder Singh @ Poki ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-7113-2021 (O&M)

Sahil Mattu ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-9.9.2022

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. A.S. Shergill, Advocate for  
Mr. Navjot Singh, Advocate,  
for the petitioner(s) in CRM-M-3082-2021 and  
in CRM-M-7113-2021.

Mr. Mehtab Singh Khaira, Advocate,  
for the petitioner in CRM-M-29819-2021.

Mr. Luvinder Sofat, DAG, Punjab,  
assisted by SI Balbir Singh.

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**GURVINDER SINGH GILL, J.**(Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Arshdeep Singh @ Money, Davinder Singh @ Poki and Sahil Mattu seeking grant of regular bail in respect of a case registered vide FIR No.109, dated 22.7.2019, Police Station Sadar, Hoshiarpur, under Sections 323, 324, 394, 148, 149 of Indian Penal Code, wherein offences under Sections 325, 326 and 307 of IPC were added later on.
2. The allegations, in nutshell, are that on 19.7.2019, when the complainant Kulwant Singh alongwith his friend Satwinder Singh was having meals in a Tavern, then a black coloured Alto Car, one Activa Scooter, a Bullet motorcycle and a Splender motorcycle stopped near them. Davinder Singh @ Poki armed with a '*datar*', Arshdeep Singh @ Mani armed with '*kirpan*', Sahil carrying a '*khanda*', Paramveer Singh @ Param carrying a stick and another unknown person carrying a stick came out of the car. Sukhchain Singh Nihang armed with '*datar*' had been driving the bullet motorcycle and Mani Pandit, who was armed with baseball bat, was sitting on the pillion seat. Gagan Sidhu was carrying a '*datar*' and behind him on his motorcycle was sitting an unknown person carrying a baseball bat. The Activa Scooter was being driven by Manpreet Singh, who was armed with a '*datar*' and another unknown person carrying a stick was sitting behind him. The said

persons attacked the complainant on various parts of body of the complainant with their respective weapons and inflicted several injuries including injuries on his head and other vital parts. A total of 22 injures were sustained by the complainant.

3. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case and that there is no credible evidence to substantiate the allegations levelled against them.
4. On the other hand, learned State counsel has submitted that the ocular version is fully substantiated by the medical evidence and that the very fact that 22 injuries were found on the person of the injured leaves no manner of doubt that all the accused had caused injuries to the injured indiscriminately with their weapons. Learned State counsel has, however, informed that while petitioner Arshdeep Singh @ Money (in CRM-M-3082-2021) has been behind bars since the last about 2 years and 8 months, the other two petitioners namely Davinder Singh @ Poki (in CRM-M-29819-2021) and Sahil Mattu (in CRM-M-7113-2021) have been behind bars since the last about 1 year and 11 months. The petitioner Arshdeep Singh @ Money is stated to be involved in 3 other cases including a case under Section 302 of Indian Penal Code and another case under Section 307 of Indian Penal Code. The petitioner Davinder Singh @ Poki is involved in 2 cases under Arms Act and the petitioner Sahil Mattu is stated to be involved in one case under Arms Act. Learned State counsel has further informed that although charges have been framed but none out of the cited 22 PWs has been examined till date.
5. This Court has considered the rival submissions.

6. It is no doubt correct that all the petitioners are specifically named in the FIR and specific roles have been attributed to them and the medical evidence also corroborates the version put forth in the FIR. However, this Court cannot lose sight of the fact that the petitioners have been behind bars for a substantial period of about 2 years or more. Conclusion of trial is likely to consume time as none out of the cited 22 PWs has been examined so far. All the three petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the file of connected case.

**9.9.2022**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No