

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

224

CRM-M No.7849 of 2022 (O & M)

Date of decision:03.03.2022

Master Lachman Singh Sahota

... Petitioner

Vs.

State of Punjab

... Respondent

222

CRM-M No.4309 of 2022 (O & M)

Gurpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Hitesh Verma, Advocate for the petitioners  
in both cases.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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**SUVIR SEHGAL J.(ORAL)**

This order shall dispose of CRM-M-7849-2022 titled as **Master Lachman Singh Sahota versus State of Punjab** and CRM-M-4309-2022 titled as **Gurpreet Singh versus State of Punjab**, as both the petitioners are accused in the same case i.e. FIR No.133 dated 29.12.2021 registered under Sections 333/354/353/186/148/149 of IPC, 1860, and Section 25 of the Arms Act, 1959, at Police Station Tappa Mandi, District Barnala, Annexure P-1, and have approached this Court by way of separate petitions seeking grant of regular bail.

As per the case of the prosecution, FIR, Annexure P-1, has been registered on the statement of Gurlal Singh, SHO, Police Station Tappa, on the allegation that a piece of land belonging to Municipal

Council, Tappa Mandi, is in illegal possession and attempts were made to resolve the dispute a number of times but without any success. On the fateful day, when the talks between the civil administration and Sukhwinder Singh @ Dholu, Gurtej Singh retired Patwari, Baba Kaka Singh, Bikkar Singh, Master Lachman Singh Sahota (petitioner in CRM-M-7849-2022) and Makhan Singh etc. remained inconclusive, they got aggressive, used foul language, instigated the crowd of about 100-150 people, who were armed with brick bats, sticks, baseball bat etc., who attacked the police as well as civil administrative officials. The complainant has alleged that he was hit on the nose with a stone and a lady constable, who was accompanying the police party, was manhandled. The DSP, Tappa, who was present at the spot fired in the air to disperse the crowd.

Counsel for the petitioners submits that the petitioner-Master Lachman Singh Sahota, is a teacher in a Government School and the petitioners have been accused of provoking the crowd. As per the counsel, the dispute between the parties over the land has been resolved and a certificate dated 05.02.2022 has been given by Municipal Council, Tappa to the effect that the disputed land measuring 18 kanals and 19 marlas, which was being used for common purpose, can be used by the inhabitants of the village for construction of a religious place (Guru Ghar Baba Jiwan Singh Ji). He has placed reliance upon the interim order passed by this Court on 10.02.2022, Annexure P-2, passed in CRM-M-5646-2022, whereby co-accused, who is similarly situated, has been granted interim anticipatory bail. Counsel submits that accused-Master Lachman Singh has been named as an accused in another FIR, pertaining

to the same incident, wherein he has been granted regular bail by the trial court. He asserts that, besides the said FIR, petitioners are not involved in any other criminal case and they deserve to be enlarged on bail as they are no longer required for custodial interrogation.

Per contra, learned State counsel upon instructions from ASI Jasvir Singh, has opposed the petition and has submitted that the petitioners are alleged to have obstructed the civil administrative and police officials from discharging their duties and have caused injuries to them. As per further instructions received by him from ASI Jasvir Singh, final report has been presented on 25.02.2022. He has filed custody certificates dated 02.03.2022, which are taken on record.

Having heard counsel for the parties, this Court is of the view that the petitioners would be entitled to be released on bail, keeping in view the nature of allegations levelled against them and as they are no longer required for custodial interrogation.

Without adverting to the arguments addressed by the counsel for the parties, the petition is allowed. The petitioners are ordered to be released on bail on furnishing **heavy bail/surety bonds** to the satisfaction of the Trial Court/Duty Magistrate concerned.

It is clarified that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.03.2022

(SUVIR SEHGAL)

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JUDGE

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |