

CRM-M-17151-2021 (O&M);
CRM-M-26389-2020 (O&M) &
CRM-M-19442-2021 (O&M)

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

(I) CRM-M-17151-2021 (O&M)

Satyam Rana ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-26389-2020 (O&M)

Sonu ...Petitioner

Versus

State of Punjab ...Respondent

(III) CRM-M-19442-2021 (O&M)

Bablu @ Bilal ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 21.02.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Atul Goyal, Advocate, for the petitioners.

Mr. M.S.Dullat, Addl. AG, Punjab.

Mr. Sandeep S. Majithia, Advocate, for the complainant.

GURVINDER SINGH GILL, J.

1. This order shall dispose of the aforesaid three petitions filed on behalf of Satyam Rana, Sonu and Bablu @ Bilal respectively seeking grant of regular bail in respect of a case registered against them vide FIR No.110

dated 17.06.2020 at Police Station Jodhewal, District Police Commissionerate Ludhiana, under Sections 307/506/341/148/149 IPC.

2. The FIR in question was lodged at the instance of Gurjinder Singh, wherein he stated that he has been visiting Rinku Baba, devotee of Baba Balak Nath, since the last 16/17 years and had faith in him. On 15.06.2020, he went to the Temple built in the house of Rinku Baba to pay obeisance. While he was sitting there, then at about 8:00 PM he heard loud noises and abuses being hurled by a lady and some other persons. Upon hearing the same, he alongwith Rinku Baba and other members of his family came out in the street. They saw that Nusrat, Rinku Baba's neighbour and her husband Irfan and their three sons, namely Sameer, Bablu and Sonu were hurling abuses to Rinku Baba. Their grudge was that Rinku Baba had built a tank in the street for drainage of rain water to which the said persons had been objecting. In the meantime, complainant's brother Karandeep Singh also came there to pay obeisance and they all tried to restrain Nusrat and her family members from hurling abuses upon which they threatened to kill them. However, with the intervention of the neighbours, Nusrat and other members of her family returned to their house. After a short while, all the three sons of Nusrat, namely Sameer, Bablu and Sonu came into the street while threatening the complainant & others to teach them a lesson. It is alleged that Nusrat and her husband started throwing bricks at the complainant & others from roof of their house. It is alleged that a brick thrown by Nusrat hit the complainant on his left foot. Another brick thrown by Irfan hit the complainant on his neck. Another brick thrown by Nusrat hit a boy Deepu standing near the complainant near his left

eye. Irfan and Nusrat kept on throwing bricks. In the meantime, all the three sons of Nusrat came on motor-cycles alongwith 20/25 persons, who all were carrying sharp edged weapons, such as, *kirpans*, *datar*, baseball bat etc. Irfan and his wife Nusrat raised a lalkara exhorting the said persons to teach the complainant & others a lesson for having constructed drainage tank in the street. Thereafter, Rinku Baba alongwith a boy Mani Ram ran towards their house to save themselves. While the complainant was also following them, he was waylaid by Satyam, who grappled with him. In the meantime, Sameer, who was carrying a *datar*, gave a blow with the same on the head of the complainant. Bablu gave a blow with *kirpan* on complainant's head hitting him on the left side at the back of his head. When the complainant fell down, then Sonu inflicted a blow with *kirpan* on complainant's head on the right side near his forehead. Another boy, namely, Bedi gave a blow with *kirpan* hitting the complainant on his waist. Sameer gave another blow with *datar* on complainant's head near the right side of his neck. The unknown persons inflicted several blows to the complainant, when he was lying down, with an intention to kill him on account of which he was critically injured. When the complainant raised alarm, the neighbours were attracted to the spot and the accused while thinking that the complainant had expired, ran away from the spot. Later, the complainant came to know that Rahul, Mani Kulcha and Kuldeep Rajpoot were also amongst the assailants. Thereafter, the complainant was taken to the Civil Hospital from where he was referred to a bigger hospital and consequently, he was taken to Arora Neuro Centre, where he remained under treatment.

3. Learned counsel appearing on behalf of all the petitioners has submitted that they have falsely been implicated in the present case and that in any case, since they have been behind bars for a substantial period, they deserve the concession of bail. It has also been submitted that petitioner-Sonu had been granted interim bail by a Coordinate Bench of this Court for 4 months vide order dated 23.04.2021 and that Sonu after availing interim bail had surrendered back. It has also been submitted that since Nusrat and Irfan have already been granted bail by this Court vide orders dated 07.01.2021 and 11.02.2021 annexed with CRM-M-19442-2021 as Annexures P-6 & P-7 respectively, the petitioners also deserve similar relief. Learned counsel has further submitted that since the accused Sameer had also sustained injuries on his thumb and fingers, which stand unexplained in the FIR, it is apparent that the genesis of occurrence has been suppressed and that as such, all the petitioners deserve the concession of bail.
4. On the other hand, learned State counsel assisted by learned counsel representing the complainant has submitted that since the accused had caused injuries indiscriminately to the complainant on vital parts of the body with sharp edged weapons, they do not deserve any leniency. Learned State counsel has further submitted that since Bablu is attributed blow with *kirpan* on the head of the complainant and even Sonu is alleged to have inflicted a blow with *kirpan* hitting the right side of complainant's forehead and the said injuries are duly reflected in the MLR, no case for grant of bail is made out. It has further been submitted that although Satyam Rana is not attributed any specific injury, but since he happens to be involved in as many as 3 other cases including a case

registered for an offence under Section 307 IPC and was accompanying the other accused, who inflicted grievous injuries with sharp edged weapons on the complainant's head, he also does not deserve the concession of bail.

5. I have considered rival submissions addressed before this Court.
6. All the three petitioners are specifically named in the FIR and two of the petitioners i.e. Sonu and Bablu are also alleged to be carrying weapons in the shape of *kirpan* and are attributed specific injuries on complainant's head. The MLR in respect of the complainant (Annexure P-3 in CRM-M-19442-2021) reveals that he had sustained the following injuries:

- “1. An incised wound 8x1 cm obliquely placed on left parietal temporal region. Adv. CT head. Surgical opinion.
2. Skin loss of 4x3 cm on right temporal region. Margins are clear. Anterior part Adv. CT head. Surgical opinion.
3. An incised wound 6x2 cm on right parieto occipital region. Adv. CT Head. Surgical opinion.
4. Skin loss of size 3x1 cm horizontally placed at left occipital region. Margins are clearly defined. Adv. CT head. Surgical opinion.
5. An incised wound 4x1 cm horizontally placed. Bone Deep. Lateral margin is 6 cm medial to axilla and 2 cm below axilla on left scapular region. Adv. X-ray chest. Surgical opinion.”

7. The reply filed by the complainant is accompanied by some pictures of the injured, which show that he has been brutally inflicted injuries on his head. Some of the pictures, which are stated to be of accused, show that the accused are brandishing deadly weapons.
8. The reply filed on behalf of the State in Satyam Rana's case discloses that as per the Injury Report dated 17.06.2020 of Arora Neuro Centre, the following 3 injuries out of 5 injuries sustained by the complainant have

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been declared as ‘grievous’ injuries and all the said 3 injuries are on head:

- “3-a. Thin subdural hematoma along left anterior temporal bone.
- 3-b. Comminuted ??? displaced fracture in left parietal bone.
- 3-c. Extra cranial soft tissue swelling in left parietal region.”

9. Bearing in mind the manner in which injuries have been caused by a large number of accused and also keeping in view the antecedents of the accused particularly that of Satyam Rana, who is involved in 3 other cases, this Court does not find any special case for grant of regular bail to the petitioners. All the three petitions, as such, are dismissed.
10. A photocopy of this order be placed on all the connected files.

21.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
 Whether reportable: **Yes/No**