

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

**CRM-M-35186-2021 (O&M)**

**Date of Decision: 04.04.2022**

Paramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

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

Mr. Luvinder Sofat, AAG, Punjab,  
assisted by ASI Harjinder Singh.

Mr. Ravi Malhotra, Advocate, for the complainant.

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

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.158 dated 11.12.2020 at Police Station Division No.2, District Police Commissionerate Jalandhar, under Sections 302/148/149 IPC (Section 120-B IPC added later on).
2. The FIR in question was lodged at the instance of Swaran Singh, wherein it has been alleged that on 10.12.2020 when he alongwith his son Amandeep Singh was present at their home, they came to know that locks of the gate of Gurudwara Sahib have been broken. In the meantime, Ajay Kumar, a resident of the locality, came to their house and complainant's son Amandeep Singh accompanied by Ajay Kumar went towards Gurudwara Sahib on Activa scooter while the complainant also

- followed them on his motorcycle. Upon reaching near Gurudwara Sahib at about 9:30 p.m., the complainant noticed Paramjeet Singh (petitioner), who resides in Gurudwara Sahib, his son Prabhmeet Singh, Jeevan and Anmol, both sons of Jaspal Singh, who are nephews of Paramjeet Singh, Vishal, Sangat Singh (son-in-law of Paramjeet Singh), Varun @ Tarun and few other unknown persons, who were all causing injuries to complainant's son Amandeep Singh and Ajay Kumar. It is alleged that Vishal took out the holy '*kirpan*', which he was wearing and inflicted a blow with the same upon Amandeep's neck. The remaining persons were also carrying '*kirpans*' and '*datars*' and were raising '*lalkaras*' that Amandeep Singh has been taken care of. When the complainant raised alarm, the accused ran away from the spot. Although Amandeep Singh was rushed to hospital, but he succumbed to his injuries.
3. Learned counsel for the petitioner has submitted that although the petitioner is named in the FIR, but no specific role is attributed to him and that the fatal injury is attributed to co-accused Vishal s/o Naresh Kumar. Learned counsel has further submitted that a perusal of the post mortem report (Annexure P-3) itself shows that it is not a case where a large number of injuries had been caused to the deceased as has been alleged in the FIR. Learned counsel has submitted that the petitioner, in any case, has been behind bars since the last about 1 year & 3 months and, as such, deserve to be released on bail.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that since the petitioner is specifically named in the FIR and is stated to be present alongwith other co-accused,

- no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date have been behind bars since the last about 1 year, 3 months & 2 days and that he is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Though as per FIR a large number of accused, who are alleged to be armed with '*kirpans*' and '*datars*' were present and are alleged to have caused injuries, but the post mortem report (Annexure P-3) does not substantiate the said fact inasmuch as it is not a case where a large number of injuries were found on the person of deceased and that it is a case where one deep gaping incised wound was found on the neck of deceased, which is attributed to co-accused Vishal s/o Naresh Kumar apart from 2 lacerated wounds on the left shoulder, which apparently were caused when the deceased fell down.
7. Without commenting anything as regards the merits of the case, but while noticing that it is not a case of multiple injuries and that petitioner has clean antecedents and has been behind bars since the last about 1 year, 3 months & 2 days and also the fact that conclusion of trial is likely to consume time, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**04.04.2022**

Vimal

**(GURVINDER SINGH GILL)**  
**JUDGE**Whether speaking/reasoned: **Yes/No**  
Whether reportable: **Yes/No**