

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

CRM-M-33705-2022 (O&M)

Date of Decision:- 05.8.2022

Jasvir Singh @ Donal

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mikhail Kad, Advocate, for the petitioner.

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

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. 118, dated 26.7.2021, Police Station City Sangrur, District Sangrur, under Sections 307, 323, 324, 341, 506, 148, 149 IPC (Challan filed under Sections 307, 323, 324, 341, 506, 34 of IPC).
2. The FIR was lodged at the instance of Lovepreet Singh wherein it is alleged that on 25.7.2021 when he was standing near Theka waiting for his brother, then at about 7 pm Kamaldeep Singh Cobra, Racho, Donal (petitioner) accompanied by 7/8 other persons came there and

encircled him. It is alleged that Racho inflicted a blow with a stick on his nose. Donal and others caught him and gave beatings to him. Kamaldeep Singh Cobra is alleged to have inflicted a blow with 'gandasi' on the back side of his head. He fell down and while he was lying down, all the accused gave him kicks.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged inasmuch as though as many as 11/12 persons are alleged to have given beatings to the complainant, but the FIR only shows two injuries out of which one of the injury is in the nature of a swelling only.
4. Learned counsel for the petitioner has further submitted that in any case even as per the FIR the petitioner was not armed with any weapon and there are general allegations of beatings against him.
5. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and had participated in giving beatings to the complainant, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner has been behind bars since the last about 7 months and 14 days and that he is not involved in any other case.
6. I have considered rival submissions addressed before this Court.
7. Having regard to the fact that it is a case where only one incised wound was found on the person of the injured-complainant apart from another injury in the nature of swelling and the petitioner is stated to be unarmed and otherwise has a clean record, further detention of the petitioner who has been behind bars since the last

more than 7 months would not be justified particularly when the trial has not commenced and as many as 15 PWs have been cited. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.8.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No