

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

246+303

CRM-M- 54447 of 2022  
Date of Decision: 30.11.2022

Harmanjot Singh @ Harmanjot Singh Grewal

....Petitioner

Versus

State of Punjab

.....Respondent

2)

CRM-M-55213 of 2022

Yadwinder Singh @ Buta

....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

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Present: Mr. Surjeet Singh Sodhi, Advocate,  
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

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**JASGURPREET SINGH PURI, J. (Oral)**

Both the cases are taken up together for final disposal with the consent of learned counsel for the parties as both arise out of the same FIR and the prayer in both the cases is for the grant of regular bail in FIR No.229 dated 10.09.2022, under Sections 323, 341, 324, 307, 295, 506, 148, 149 IPC, registered at Police

Station Jamalpur, District Ludhiana.

It has been submitted by learned counsel for the petitioners that both the petitioners are in custody since 10.09.2022. He has further submitted that the investigation of the case has already been completed and thereafter, challan has been presented before the competent Court. It is submitted that no recovery is to be effected from the petitioners and in fact, the petitioners are not habitual offenders and they are not involved in any other case.

It was submitted that allegations against both the petitioners are that the petitioner, namely, Harmanjot Singh @ Harmanjot Singh Grewal is a Sarpanch of the village and the petitioner Yadwinder Singh is a Panch of the village and a fight had taken place at Gurudwara Chowk wherein some injuries have been inflicted on the side of the complainant party, namely, Prabhjot and Ramandeep. It was submitted that it is a case of version and cross-version and learned counsel for the petitioners has referred to the MLR to state that even the petitioner Yadwinder Singh also sustained four injuries and another co-accused Harpreet Singh also sustained five injuries and it is yet to be determined during the trial as to who was aggressor party. It was submitted that the investigation of the case has been completed and the trial of the case may take long time, and considering the aforesaid facts and circumstances of the case, both the petitioners may be considered for the grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab on instructions has submitted that it is correct that the petitioners are in custody since 10.09.2022 and the investigation of the case has been completed and the challan has already been presented. He further submitted that although it is a case of

version and cross-version according to the learned counsel for the petitioners, but no FIR has been registered at the instance of the petitioners. So far as the antecedents of both the petitioners are concerned, he submitted that they are not involved in any other case.

I have heard the learned counsel for the parties.

The petitioners are stated to be in custody since 10.09.2022 and it is a case of version and cross-version where both the parties received injuries. During the course of arguments, learned counsel for the petitioners submitted that it was due to political enmity between the petitioners and the complainant as the petitioner Harmanjot Singh is a Sarpanch of the village and the petitioner Yadwinder Singh is a Panch of the village that a fight took place between the parties. During the course of arguments, learned counsel for the petitioners has argued that the cross-version FIR has not been lodged deliberately by the police due to proximity of the complainant with the police. Be that as it may, as per learned counsel for the parties, the investigation of the case has already been completed and no recovery is to be effected from the petitioners and both the petitioners are stated to be not involved in any other case. Furthermore, it is not the case of the State that in case the petitioners are released on bail then they may abscond or flee from justice or may influence any witness or may tamper with the evidence.

In view of the aforesaid position, both the petitions are allowed. The petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an

expresion of opinion on merits of the case and is only meant for the purpose of decision of these two petitions.

(JASGURPREET SINGH PURI)  
JUDGE

November 30, 2022  
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| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |