

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M 19035 of 2023
Date of Decision: 01.06.2023

Ravinder Singh @ Angrej

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Sukhjit Singh, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.44, dated 11.07.2022, under Sections 307, 324, 323, 506 IPC, registered at Police Station Maloud, District Khanna, Ludhiana.

The case in question was registered on the statement of complainant-Tirath Singh son of Nachhattar Singh. As per allegation, father of the complainant has been running a cycle repair shop near cooperative Bank, Sehora and adjoining the shop of his father, his uncle Harjinder Singh @ Raj is running a shop shoe making. His uncle Harjinder Singh @ Raj and his son Angrej Singh-petitioner, used to sleep in their shop at night. On 10.07.2022, at about 9.30 PM, his uncle Harjinder Singh @ Raj used bad words against the parents of the complainant and due to that altercation took place between Harjinder Singh and father of the complainant. With the intervention of the villagers the matter was resolved. He brought his father back to the home. At about 11.30 pm, his father told him that the shop was not locked and from the house, he went to the shop. When his father was

closing the shutter of the shop, then his uncle Harjinder Singh @ Raj and his son Angrej Singh-petitioner came out of their shop. Angrej Singh started abusing his father loudly and his uncle who was carrying *Rambi*, i.e.artisan used for cutting of leather, attacked his father on the left side of his stomach with above said tool with intention to kill him and his father received grievous injury. Thereafter, his uncle again attacked his father on his face and head with the said tool, which hit on the right jaw of his father. Then his uncle Harjinder Singh @ Raj attacked with above said tool and his father raised his left arm to save him, the blow hit the underarm of his father and his father who was seriously injured he fell down. While he was lying down, then Angrej Singh kicked him with his feet and his uncle Harjinder Singh @ Raj again attacked his father on his back.

Learned counsel for the petitioner has argued that as per version of the prosecution, the petitioner was not armed with any weapon. Allegations against him are that he gave kick blows to the father of the complainant when he was lying down. The petitioner is in custody since 12.07.2022. He is not involved in any other case and he has been falsely implicated in the present case.

Status report by way of affidavit of Harsimrat Singh, PPS, Deputy Superintendent of Police, Sub Division Payal, Police District Khanna, District Ludhiana, on behalf of respondent-State, is filed in Court today. The same is taken on record.

On the other hand, the prayer is opposed by learned State counsel but he has fairly submitted that as per allegations the petitioner gave only kick blows and all the injuries are attributed to the co-accused Harjinder Singh @ Raj who is father of the petitioner. He has also submitted

that the petitioner is in custody since 12.07.2022.

Heard.

The petitioner was neither armed with any weapon nor he gave any serious injury to the father of the complainant. Allegation against the petitioner is that he gave kick blows to him. The culpability of the petitioner would be decided during the trial of the case. Challan has already presented in this case.

Without commenting anything on merits of the case, considering the custody period and the fact that the completion of trial will also take a long time, no useful purpose would be served by keeping the petitioner behind bars for a long period.

Accordingly, the present petition is **allowed** and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Nothing stated herein above be construed as a final expression of opinion on the merits of the case and the Trial Court would proceed independently of the observations above, which have only been made for the purpose of adjudication of the present petition for grant of regular bail.

01.06.2023

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(GURBIR SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No