

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

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**CRM-M-30140-2022 (O&M)
Date of decision: 06.02.2023**

Sarabjit Singh @ Sabi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Eklavya Darshi, Advocate for the petitioner.

Ms. Ishma Randhawa, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.264 dated 24.08.2020, registered at Police Station Habbowal, Police Commissionerate Ludhiana, under Sections 307, 341, 148 and 149 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner was not named in the FIR; that out of total 09 accused arraigned in the present FIR, 08 accused have since been granted the concession of bail, including co-accused, Mamta and her husband Nikki, who along with the petitioner have been attributed injuries on the person of the complainant, and that the petitioner has been in custody since 09.08.2021. So far as two other cases registered or pending against the petitioner are concerned, he stands acquitted in one case whereas he is facing the trial in another case.

On the other hand, learned State counsel while controverting the submissions made by the learned counsel for the petitioner, submits that the allegations against the petitioner are very serious of giving repeated *gandasi* blows on the person of the complainant and all the injuries are incised and

lacerated wounds. The petitioner was initially named in the FIR as Surjit Singh @ Chhabi but the complainant in his supplementary statement recorded on 02.09.2020, stated that inadvertently, he has given the name of the petitioner as Surjit Singh @ Chhabi whereas his correct name is Sarabjit Singh @ Chhabi. The petitioner is a habitual offender. She also submits that in case, the petitioner is enlarged on bail, every effort will be made by him to either tamper the evidence or win over the witnesses. The prosecution witnesses, including the complainant, are still to be examined.

I have heard the learned counsel for the parties and have also gone through the case file.

As noticed above, there are specific allegations against the petitioner that he has given many *gandasi* blows on the person of the complainant and all the injuries are incised and lacerated wounds. Though the petitioner was initially named in the FIR as Surjit Singh @ Chhabi but in his supplementary statement recorded on 02.09.2020, the complainant stated that inadvertently, he has given the name of the petitioner as Surjit Singh @ Chhabi whereas his correct name is Sarabjit Singh @ Chhabi. Even the complainant is yet to be examined.

Considering the seriousness of allegations against the petitioner and his criminal antecedents, the petitioner is not entitled for grant of regular bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

06.02.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No