

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**Sr. No.204****Case No. : CRM-M-48481-2022****Date of Decision : February 03, 2023**

Satnam Singh

.... Petitioner

vs.

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

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Present : Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

Mr. J. S. Thind, Advocate
for the complainant.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.2 dated 01.01.2022, under Sections 109, 147, 148, 149, 307, 323, 427, 430, 506 and 325 IPC, registered at Police Station Sadar, District Sirsa.

As per the allegations made in the complaint, father of complainant Mehakdeep Singh namely Iqbal Singh has been cultivating land of Anup Singh and Gurdayal Singh for the last two years. In their neighbourhood, lands of their cousins namely Savinder Singh @ Shinda and Balwinder Singh etc. was also there. These two cousins were troubling the complainant party since the time they started cultivating the land of Anup

Singh and Gurdayal Singh as they did not want that land to be cultivated by

anyone, so that they could get it on negligible rates.

On 31.12.2021 at about 08:30 P.M., when complainant along with his father was irrigating the said land, the petitioner and other six persons armed with deadly weapons, in pursuance of *lalkara* raised by their co-accused, attacked them. The petitioner was armed with rod. He gave injury with the rod hitting on the right hand of the complainant. The complainant suffered three injuries, all with blunt weapon. Father of the complainant Iqbal Singh suffered two injuries. Injury No.1 on the person of Iqbal Singh was declared dangerous to life whereas injury No.2 was declared grievous in nature.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 15.03.2022. Challan is already presented. Charge also stands framed. The only injury attributed to the present petitioner is with his rod on the hand of the complainant. In the FIR, it is not mentioned that the petitioner had caused any injury on the person of the father of the complainant. It has further been submitted that as per the medical opinion of the doctor, the petitioner is being provided medicines prescribed by the Medicine and Psychiatric Faculty of the General Hospital, Sirsa. It has also been apprised to this Court that in this case, a few persons have been declared innocent, which prima-facie proves that the complainant exaggerated the issue.

Learned State Counsel and learned counsel for the complainant, on the other hand, have opposed the submissions made by learned counsel for the petitioner.

Learned counsel for the complainant submits that five cases

have been registered against the petitioner. He was acquitted in three cases on the basis of compromise. He is a habitual offender. One case is pending against him. Earlier also, he and his associates promised not to interfere in the issues related to the land owned or being cultivated by the complainant party but despite that, they had again caused injuries.

Learned State counsel does not deny the fact that the petitioner is in custody since 15.03.2022. It is further submitted that the petitioner had caused one injury with rod on one hand of the complainant. He also caused injury with rod on the person of father of the complainant.

Heard.

Keeping in view all the facts and circumstances of the case that the petitioner is being treated by a Psychiatrist; injuries attributed to him were not dangerous to life; challan has already been presented; case is at the stage of evidence of prosecution and completion of trial may take a long time, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, Sirsa.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

February 03, 2023
monika

(GURBIR SINGH)
JUDGE

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