

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRM-M-56282-2022**

**Date of Decision:-19.01.2023**

**Ravinder @ Tota.**

**.....Petitioner.**

Versus

**State of Punjab.**

**.....Respondent.**

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Prikshit Mathur, Advocate for  
Mr. Rahul Bhargava, Advocate for the Petitioner.

Mr. Aman Dhir, Deputy Advocate General, Punjab.

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**JASJIT SINGH BEDI, J. (ORAL)**

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.156 dated 08.10.2022 under Sections 307, 324, 323, 148, 149, 120-B IPC and Sections 25 & 27 of Arms Act in which offence under Section 325 IPC was added later on registered at Police Station Sadar, District Jalandhar.

The brief facts of the case are that secret information was received by ASI Mohinder Singh that two groups were fighting with each other. One group was headed by Yusuf son of Dilbar (granted bail vide order dated 19.12.2022) comprising of Austin, Ranjit, Jaspreet and 15-20 unnamed youths and the other group was headed by Manjit Singh @ Mani Bhapa which comprised of Rakesh son of Gurmel and 15-20 unnamed youths . It was stated that they were armed with deadly weapons and were

fighting with each other and with intention to kill each other. Pursuant thereto the FIR came to be registered . It was also found that Ravinder @ Tota (petitioner) had been injured in the occurrence.

The Counsel for the petitioner contends that the petitioner has not been named in the FIR nor has any specific injury been attributed to him. In fact he has received injuries in the present occurrence. Since the petitioner was in custody since 09.10.2022, was a first time offender and none of the 11 prosecution witnesses had been examined so far, he was entitled to the grant of bail more so when his co-accused Yusuf @ Yusaf had been granted the concession of regular bail whereas Rakesh Kumar and Manjit Singh @ Manni Bhappa had been granted the concession of anticipatory bail.

The Counsel for the State on the other hand contends that a fight had taken place between the two factions and the petitioner who belongs to one faction had received injuries in the occurrence and the manner in which the occurrence took place *inter se* did not entitle the petitioner to the grant of bail. A *danda* had also been recovered from the petitioner. He however admits that the petitioner is in custody since 09.10.2022 and none of 11 prosecution witnesses had been examined and no specific injury has been attributed to him.

I have heard learned Counsel for both the parties at length.

Admittedly, the FIR has been registered on the basis of secret information that two groups were fighting with each other. The petitioner has received injuries in the occurrence. He however, has not been named in the FIR nor has he been attributed any injury. Further the co-accused of the petitioner Yusuf @ Yusaf has been granted the concession of regular bail

and two co-accused have been granted the concession of anticipatory bail. The petitioner is in custody since 09.10.2022 and none of the 11 prosecution witnesses had been examined so far as such the further incarceration of the petitioner is not required.

Thus, without commenting on the merits of the case, the petitioner-**Ravinder @ Tota** son of Sh. Baltar Singh is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing that he is not involved in any other crime other than the cases mentioned in this order.

If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

In addition, the petitioner or any person on his behalf shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited in accordance with law in case of the absence of the petitioner from the Trial without sufficient cause.

The Petition stands disposed of.

( JASJIT SINGH BEDI )  
JUDGE

January 19, 2023  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |