

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-3113-2024 (O&M)
Date of Decision:-9.4.2024

Lovepreet Singh @ Bugla ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.K.S. Phoolka, Advocate,
for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab,
assisted by HC Karan Dem.

FIR No.	Dated	Police Station	Section/s
85	2.8.2021	Raman, Bathinda, District Bathinda	308, 506 and 34

GURVINDER SINGH GILL, J.(Oral)

CRM-14938-2024

In view of the reasons mentioned in the application, the same is

allowed and the documents annexed with the application are taken on record

as Annexure P-3 subject to all just exceptions.

CRM-M-3113-2024 (Main Case)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged by Jagseer Singh @ Seera, wherein it is alleged that on 1.8.2021, when his wife and son Akashdeep Singh went to the house of Satpal Singh so as to lodge complaint regarding the conduct of his son Lovepreet Singh @ Bugla, then Lovepreet Singh @ Bugla inflicted a blow from reverse side of 'Kasia' on the head of complainant's son Akashdeep Singh.
3. Learned counsel submits that the genesis of occurrence has been suppressed inasmuch as it is a case where 2 persons from the side of the petitioner also sustained injuries regarding which there is no reference at all in the FIR. Learned counsel, in this regard, has referred to the MLRs of Ms. Jaspreet Kaur aged about 14 years and Lovepreet Singh @ Bugla aged about 18 years annexed as Annexure P-3, wherein injuries sustained by them have been recorded. Learned counsel for the petitioner thus prays for grant of regular bail to the petitioner.
4. Opposing the petition, learned State counsel submits that while the injuries sustained by Jaspreet Kaur and Lovepreet Singh @ Bugla, on which the petitioner is relying, are in the nature of simple injuries, the injury sustained by the complainant's son is in the nature of grievous injury and that too on the vital part of the body i.e. on the head. It has, however, been informed that the petitioner has been behind bars since the last about 6 months and 26 days and is otherwise enjoys a clean record. It has also been informed that

although challan has been presented but none out of the cited 12 PWs has been examined.

5. This Court has considered rival submissions addressed before this Court.
6. A perusal of MLRs of Jaspreet Kaur and Lovepreet Singh @ Bugla does show that the said persons i.e. the petitioner (mentioned as Labhpreet Singh) as well as his sister Jaspreet Kaur were medicolegally examined from PHC, Talwandi Sabo on 1.8.2023 i.e. the day when the occurrence had taken place. Jaspreet Kaur, as recorded, is stated to have sustained the following injuries:-

Sr. No.	Injury Detail	Injury Number
1.	C/O Pain in lateral side of right forearm with mild abrasion advise X Ray right forearm	1
2.	C/O pain in shoulder joint. Advise X Ray right shoulder joint.	2
3.	Swelling of about 2 CM X 2 CM on right side side of skull in parietal region assocaited with pain. Advise X Ray skull.	3

Lovepreet Singh @ Bugla, as recorded, is stated to have sustained the following injuries:

Sr. No.	Injury Detail	Injury Number
1.	Abrasion of 2 CM X 1.5 CM on palmer aspect on right side of foot	1
2.	Abrasion of 0.5 CM X 0.5 CM on right side of patella of knee joint	2
3.	C/O pain in lumbar region of back associated with mild swelling advise X Ray. Lumbar back.	3

7. The FIR indeed is silent as regards causing of any injury to the petitioner or to any other from his side. In any case, the petitioner has been behind bars for a substantial period of about 6 months and 26 days and enjoys a clean record. Conclusion of trial is likely to consume time inasmuch as none out of

the cited 12 PWs has been examined so far. In these circumstances, further detention of the petitioner will not serve any useful purpose.

8.
- The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9.4.2024
geeta/p

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No