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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6222-2024

Date of Decision : April 04, 2024

GURPREET SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. J.S.Arora, DAG, Punjab
along with SI Gurjant Singh.

PANKAJ JAIN, J. (Oral)

1. Prayer is for grant of regular bail in FIR No.45 dated 22.08.2021 under Sections 307, 365, 342, 323, 506, 148, 149, 302, 364, 325, 34 of IPC 1860 at Police Station Mehal Kalan, District Barnala.
2. FIR was registered on the information supplied by one Jaskaran Singh son of Baljit Singh alleging as under:-

“On 20.08.2021, we closed clinic and went to our house. Then I came to Mehal Kalan on the Platina motorcycle of Iqbal Singh son of Jagtar Singh C Kaillu, resident of Mehal Khurd bearing registration No.PB-19P-8196 for domestic work. After that, I and Ibqal Singh were going back to our house Mehal Khurd on the aforesaid motorcycle of Iqbal Singh and the motorcycle was being driven by Iqbal Singh. When we reached near house of Bahadur Singh son of the Dalip Singh, resident of Mehal Khurd, one km. behind Village Mehal Khurd, time would be

about 9.00 P.M. and Harpreet Singh son of Bahadur Singh, Gurpreet Singh son of Bahadur Singh, Bahadur Singh son of Dalip Singh, Bhawandeep Singh son of Kuldeep Singh, Navdeep Singh son of Singh, Ranjit Singh' son of of Kuldeep Mahinder Singh, Satnam Singh @ Ralla son of Bikar residents of Mehal Khurd were already standing armed with sotis, hockey etc. who after seeing us raised lalkara then Iqbal Singh accelerated the speed of the fell and I motorcycle down from backside. Then Harpreet Singh etc. pulled me. to their house where, Harpret Singh gave blow with the soti on my right arm then Gurmeet Singh gave hockey blow at my back, Bahadur Singh gave blows with the handle of the spade on my left arm then Bhawandeep Singh gave wooden blow on my left leg, Navdeep Singh gave blow with the soti on the right side of my head. Then Ranjit Singh son of Mahinder Singh and Satnam Singh son of Bikar Singh raised lalkara in a high volume and said that today, he should not be allowed to go scot-free. Than Harpreet Singh raised lalkara and said that I will take revenge from him for inflicting injuries to me earlier. Iqbal Singh son of Jagtar Singh, resident informed of our Mehal Khurd has already parents regarding this incident. Then my chacha (uncle) Gurpreet Singh son of Surjit Singh, Baldeef Singh Sarpanch son of Tilka Singh, Jaswinder Singh, Panch, Harpal Singh @ Pala Panch Hargopal Singh reached at the house of Bahadur Singh at the spot who told Bahadur Singh etc. that you have not dane good by giving beating to Jaskaran Singh, many other people also gathered at the spot. Then my chacha (Uncle) Gurpreet Singh with the help of respectables got admitted in government hospital, Mehal Kalan from where, doctor referred me to government hospital, Barnala after giving first-aid. Then my chacha (uncle) Gurpreet Singh got admitted me government hospital, Barnala where I in am under treatment. Bone of contention is that in the

month of December 2020, fight took place between us and Harpreet Singh etc. in which, Harpreet Singh had received injuries due to which, Harpreet Singh, Gurpreet Singh, Bahadur Singh, Bhawandeep Singh, Navdeep Singh, Ranjit Singh, Satnam Singh in connivance with each other have given beating to me. got my statement recorded, heard which is correct. So, it is requested that appropriate action be taken against them. I am the complainant. I am the complainant. Sd/- Jaskaran Singh, confirmed by Sd/- Iqbal Singh Jagtar Singh, resident of Meha. son of Khurd (Mobile No.94153-00687). Sd/- Gurpreet Singh son of Surjit Singh, resident of Mehal Khurd (Mobile No.88723-64202). Verified by Sd/ Satpal Singh, SI, Police station Mehal Kalan Dated: 22.08.2021.

POLICE PROCEEDING

On 20.08.2021, one medical ruqa been received from government hospital, Mehal Kalan during night time that Jaskaran Singh son of Baljit Singh, resident of Mehal Khurd is admitted in government hospital due received injuries. to ravint Due to odd hours, no action has been taken by SI Jarnail Singh NO.79/BNL. Yesterday i.e. 21.08.2021, SI Jarnail Singh No.79/BNL alongwith fellow employees reached at government hospital, Barnal for taking action and obtained the written opinion from the doctor for recording the statement of the injured and the doctor has, opined injured is fit for recording. Jarnail Singh No.79/BNL went that the Then SI to the injured for recording his statement then injured told that I will record my statement after consulting with my family members.”

3. Allegation against the petitioner is of having given a hockey blow on the back of the complainant Jaskaran Singh who died after 20

days of the occurrence. Petitioner is behind bars for 2 years and 5 months.

4. Counsel for the petitioner submits that even if the allegations as levelled in the FIR, it is only simple injury attributed to the petitioner of having given hockey blow, thus no intention can be attributed to him.

5. Challan stands presented. Only 10 out of 26 witnesses could be examined. The trial is not likely to conclude in the near future.

6. Keeping in view the fact that the investigation stands concluded the prolonged incarceration suffered by the petitioner and the fact that the trial is not likely to conclude in the near future, the present petition in allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

04.04.2024
spn

Whether speaking/reasoned	Yes
Whether Reportable :	No