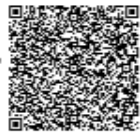


2024:PHHC:064243



IN THE HIGH COURT F PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M-15923-2024
Date of decision : 08.05.2024

Harman Singh @ Harmandeep Singh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. J.K. Singla, Advocate and
Ms. Reet Kaur Arora, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.270 dated 02.12.2023, registered for the offences punishable under Sections 323, 341, 427, 148 and 149 of IPC, 1860 (Section 307 of IPC added later on) at Police Station Bhikhi, District Mansa.
2. As per the contents of the FIR, it has been alleged as under:-

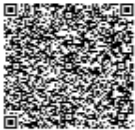
“Statement of Balvir Singh alias Beera Son of Bholu Singh Son of Mukhtiar Singh, resident of Mojo Khurd aged about 35 years, M.No.98765-07605 stated that I am resident of above mentioned address and working as Carpenter. On 01.12.2023, I alongwith my colleagues Kala Singh Son of Ginder Singh, resident of Matti and Kuldeep Singh Son of

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Bhura Singh, resident of Mojo Khurd by travelling on my motorcycle CD Deluxe bearing Number PB31-N-2312 at about 7:00 in evening were going to leave Kala Singh Ukkar at his village Matti and when we are coming back after leaving him at Village Matti then Maddi Son of Mishri Singh, Preet Singh alias Pittu Son of Bhola Singh, Harman Singh Son of Bhola Singh, Manga Singh Son of Mithu Singh and Kala Singh Son of Surjeet Singh, resident of Matti was standing on road near Cremation Ground of Phirni of village Matti and out of them, Preet Singh alias Pittu was armed with Gandassa and above said Manga Singh armed with Iron rod and remaining three persons were armed with Daang/Sticks and who surrounded us by coming on front and the above said Maddi Singh taken out key of my motorcycle. Thereafter, the above said persons started beating us while abusing. First blow given by Preet Singh alias Pittu with his Gandassa upon me while sitting on my motorcycle and I raised my right hand to protect from it and Gandassa blow was hit on my head after crossing above from my hand. I fell down. My colleague Kuldeep Singh ran away from spot under perception of scare. Thereafter, the above said persons were started beating with Daangs and Sticks while I was laying down then I become unconscious. In the meantime, Satnam Singh Son of Pal Singh, resident of Village Alisher Khurd alongwith Harwinder Singh (brother) Son of Bhola Singh, resident of Mojo Khurd has come on the spot on their motorcycle and who were trying to save us from above said persons and they also beaten to above

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said Satnam Singh and Harwinder Singh and caused loss by badly breaking motorcycle of Satnam Singh. Satnam Singh and Harwinder Singh ran away from the spot after leaving their motorcycle to save themselves from above said persons. Reason for enmity is that the above said five persons are habitual to consume intoxicants and caused injuries to us by levelling allegations against us for roaming in the village. Action be taken against them. Statement recorded with you, correct. Sd/- Balbir Singh alias Beera.”

- 2. Petitioner i.e. Harman Singh @ Harmandeep Singh has been attributed dang blow on the person of the complainant.
- 3. Counsel for the State does not dispute that the injury attributed to the petitioner is simple in nature. Petitioner is behind bars for more than 04 months and 13 days and has no prior antecedents.
- 4. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
- 5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

08.05.2024

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No