



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

Date of Decision:-20.05.2024

CRM-M-22857-2024

Sukhmandeep Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

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CRM-M-22972-2024

Sandeep Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

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

Present:- Mr. Rajinder K. Singla, Advocate for the
Petitioners (in both the petitions).

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

By this common order I shall dispose of both the
aforementioned petitions as the same have arisen out of one and the same
FIR.

2. The Prayer in these petitions under Section 439 Cr.PC is for the
grant of regular bail in case FIR No.33 dated 17.03.2024 under Sections 323,
341, 308, 148 and 149 IPC registered at Police Station Lehra, District



Sangrur, Punjab.

3. The present FIR came to be registered at the instance of Satnam Singh and reads as under:-

“ Statement Satnam Singh son of Bhura Singh Resident of Hariau Police Station Lehra District Sangrur Age about 26 years MOB: 76967-36995, stated that I am a resident of the said address. I do agricultural work. On date 17-2-2024 at about 6.30 PM, I and Pita Singh was coming home after spraying from his field. Then Pita Singh told me that Sandeep Singh son of Billu Singh of Hariau has to talk to you about something important. So I said that we will go to him at his house. When we went home, I stood back and Pita Singh and Sandeep Singh started talking to each other. Meanwhile, Sandeep Singh's younger brother Amandeep Singh was passing by. He saw me standing behind, then at a little distance, I stood in front of Sandeep Singh and Pita Singh. Then Sandeep Singh's elder brother Gobind Singh came to me and we started talking to each other and Sandeep Singh went inside his house and brought the sword. Then his mother took the sword from his hand. Sandeep Singh's elder brother Gobind Singh told me that you may go home now and will talk in the morning then I picked up my motorcycle and came to my house. Then after about half an hour, Sandeep Singh along with Jaskaran Lambardar, Sukhmandeep Singh and some other unknown persons came in front of my house and started shouting. When I went out of the house, Sukhmandeep Singh hit me on the right side with gandasa held in his hand and Jaskaran Lambardar caught my collar and Sandeep Singh hit my left leg with the stick held in his hand. Hearing our cry, my father Bhura and Uncle Jagsir Singh son of Mall Singh came out. When my father and my uncle rescue me then Sandeep Singh's brother Amandeep Singh and his father Billu Singh and his mother who



were holding sticks in their hands, started to beat my father and uncle. I backed away in fear then above said persons started beating my father and uncle with weapons they held in their hands i.e. gandasa and sticks. They hit gandasa to my father Bhura Singh on the left shoulder, above the left eye, the right shoulder and hit the stick on the right side of his back. My uncle Jagsir Singh son of Mal Singh was hit stick on the head, hit stick on the right wrist and hit the stick on the left shoulder due to which my father and my uncle fell down. Hearing our cry, our neighbour came there. Seeing them gathering, the above said persons took away my motorcycle standing in front of my gate and took away my gold chain. Then Avtar Singh, Satgur Singh and my uncle Kapur Singh arranged a vehicle for us and admitted us to Civil Hospital Lehra, where Doctor Sahib gave us first aid and referred us to Civil Hospital Sangrur where we are undergoing treatment. The reason for the grudge is that we had a fight before but we got compromised. They have grudge against me and my family. I have written a statement to you, have read it, please take appropriate action SD/-Satnam Singh.”

4. The learned counsel for the petitioners contends that they have been falsely implicated in the present case on account of political vendetta and personal enmity. As per the MLR the complainant party have received only minor or simple injuries. It was a case of version and cross version wherein three persons from the side of the petitioners including the petitioners themselves having received injuries. As they were in custody since 17.03.2024 but none of the 19 prosecution witnesses had been examined so far, they were entitled to the concession of bail.

5. The Counsel for the State on the other hand has filed reply by way of affidavit dated 20.05.2024 of Mr. Deepak Rai, PPS, Deputy



Superintendent of Police, Sub Division, Lehra, District Sangur in one of the petition bearing CRM-M-22857-2024, which is taken on record. While referring to the said reply he contends that the petitioners assaulted the complainant party. Three persons from the side of the complainant namely Satnam Singh, Jagsir Singh and Bhura Singh had received injuries. The said injuries had been attributed to the petitioners and others. Therefore, the nature of the allegations levelled against the petitioners did not entitle them to the grant of bail. He however concedes that it was a case of version and cross version and a cross case stood registered at the instance of Sandeep Singh vide DDR No.55 dated 29.03.2024 under Section 323, 325, 308, 148, 149 IPC at P.S. Lehra and that 03 persons from the side of the petitioners including the petitioners had received injuries.

6. I have heard the learned counsel for the parties.
7. The veracity of the prosecution case against the petitioners and their co-accused shall be adjudicated upon during the course of the Trial. Admittedly it is case of version and cross version with both sides having received injuries. It would be a moot point during the course of the Trial as to which party was the aggressor side. The petitioners are stated to be in custody since 17.03.2024 but none of the 19 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, their further incarceration is not required.
8. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioners-**Sukhmandeep Singh** son of Sh. Jarnail Singh and **Sandeep Singh** son of Sh. Balvir Singh are ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.



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9. The petitioners (or someone on their behalf) shall prepare an FDR in the sum of Rs.25,000/- each and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from Trial without sufficient cause.
10. The petitions stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 20, 2024
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No