



CRM-M-24156-2024

**236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-24156-2024
Decided on : 22.08.2024

Satnam Singh @ Sattu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Fateh Singh Bhullar, Advocate
for the petitioner.Mr. Navdeep Singh, DAG, Punjab with
ASI Gurdeep Singh.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.135 dated 07.09.2023 under Sections 307, 427, 506, 148 and 149 IPC and Section 25 of Arms Act registered at Police Station Sirhali District Tarn Taran.

2. Learned counsel while drawing the attention of this Court to the FIR in question, which has been annexed as Annexure P-1, has submitted that a perusal of the same clearly reveals that although the petitioner has been named therein, however, no injury much less even simple has been attributed to the petitioner. The only allegation levelled in the FIR is that the petitioner, who was armed with a baseball bat on the fateful day, allegedly caused damage to the gate of the house of the complainant. Learned counsel has submitted that in fact, the



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present FIR is a counter blast to an FIR No.80 dated 02.06.2022, which had been registered against the opposite party, at the behest of the petitioner's mother. Learned counsel has submitted that it is evidently a case of false implication; the petitioner has no criminal antecedents. Learned counsel has still further submitted that the petitioner has now been in custody since 09.01.2024, investigation is complete as challan also stands presented. However, there is no likelihood of the trial concluding in the near future as none of the 15 prosecution witnesses have been examined till date.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute the factual aspect of the role attributed to the petitioner in the crime in question and also the status of the trial. It has also not been disputed that the petitioner is not involved in any other criminal case. However, learned State counsel has drawn the attention of this Court to the FIR by submitting that the petitioner was part of the unlawful assembly and actively participated in the occurrence in question by damaging the house of the complainant party.

4. I have heard learned counsel for the parties and perused the record.

5. Before proceeding further, it would be apposite to reproduce the contents of the FIR in question, which are as under:

*“Statement of Harpreet Singh s/o Sukhwant
Singh S/o Ajit Singh, R/o Village Jalewal, P.S. Sirhall,*



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Distt. Tarn Taran, aged about 25 years Mobile No. 7956710905 stated that I am resident of above mentioned address and I am an agriculturist by profession. On dated 07.09.2023 at about 2:30 A.M. me and my elder brother Sarabjeet Singh along with our families were sleeping on second floor of our house when my uncle's son Jagroop Singh @ Jupa S/o Sawinder Singh armed with pistol, Sawinder Singh S/c Ajit Singh armed with sword Satnam Singh @ Sattu S/o Tarsem Singh armed with Baseball, Varinder Singh & Bura S/o Gurinderbir Singh armed with pistol R/o Naushera Pannua, Preet Singh R/o Mohanpura Warring armed with Kirpan along with 7/8 unrecognised persons came at our main gate and I got up and saw them and after seeing me they raised a lalkara and said that you have got registered cases against us we won't spare you and Jagroop Singh and Varinder Singh fired with their respective pistols towards me with the intention to kill and in order to save myself i bend down and they fired some shots on our main gate and towards our rooms. Preet Singh and Savinder Singh armed with swords damaged our gate and then took out stones and bricks from Verna Car and started throwing them towards our house due to which a lot of damaged was cause. In order to save us we shouted and then all the accused armed with their respective weapons fled away from the spot in verna car. Me and my entire family has threat from all the accused. Action should be taken against them."

6. A perusal of the above reproduced FIR in question reveals that although the petitioner has indeed been named therein, however,



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no injury has been attributed to him. The challan stands presented. Hence, there can be no likelihood of the petitioner tampering with any evidence. The petitioner is not stated to be involved in any other criminal case.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

22.08.2024
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(MANJARI NEHRU KAUL)
JUDGE

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