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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27320-2024
Date of decision : 31.05.2024

SUKHDEV SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.35 dated 06.03.2024 registered for the offences punishable under Sections 379-B, 365, 323, 324, 341, 427, 34 of the Indian Penal Code, (Section 325 IPC added later on) at Police Station Sadar Fazilka, District Fazilka.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. As per the contents of the FIR it has been alleged as under :

“Statement of Shinder Singh son of Khan Singh son of Narain Singh, resident of Dhani Sadda Singh Dakhli Rete Wali Bhaini aged about 41 years, Mobile No.95929-09453. Stated that I am resident of above said address and engaged in agricultural

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work. I have two children son Amandeep Singh and daughter Anmol. My wife Shinder Kaur who is present Sarpanch of village. On 04.03.2024 at about 11 AM, I was coming on my motorcycle Hero Deluxe for taking road of my fields at village Hasta Kalan and when I reached little behind the bridge of Kawa Wali Canal then Sukhdev Singh son of Milkha Singh armed with iron rod resident of Gulaba Bhaini and Gurdev Singh @ Debu son of Hansa Singh armed with Kaapa resident of Nawa Hasta and two unknown young persons out of one was carrying Kirch and other was carry basebat were standing on the way, who stopped me on arrival and when I stopped my motorcycle then Sukhdev Singh gave rod blow to me. I was sitting on motorcycle and I get little behind then rod hit on the tank of my motorcycle and I threw my motorcycle down. Then Sukhdev Singh and Gurdev Singh @ Debu gave beatings to me and forcibly kidnapped me on their motorcycle and took me to the Jhuggi little far from there. On going there, Sukhdev Singh gave rod blow to me which hit little below than my right elbow then Sukhdev Singh told that touch our feet and say sorry then I being scared from there touched the feet of all four of them and felt sorry. Then in the meantime, Gurdev Singh @ Debu gave Kaapa blow from reverse side on me which hit on my left shoulder. Meanwhile, Sukhdev Singh gave rod blow to me which hit behind my head and I fell down on ground. Then one unknown young person who was carrying basebat gave blow to me which hit behind the knee of my right leg. Meanwhile, Sukhdev Singh grabbed the Kirch from other unknown person and gave blow to me which hit near the ankle of my left foot and blood was oozing out from my leg. Then Gurdev Singh @ Debu gave another blow from Kappa and it hit from reverse side in between hand and elbow on the front side of left arm. All these assailants gave injuries with their weapons and kick blows while I was on ground. Then I raised alarm then peoples were started gathering on the road and while leaving, Sukhdev Singh forcibly took out OPPO phone and Rs.700/- from my pocket and again gave severe beatings to me with their weapons. In the meantime, many peoples gathered on



the spot then I on seeing the opportunity, fled away towards the fields. Then all these above said assailants also fled away from the spot on seeing the gathering of peoples. In the meantime, my wife Shinder Kaur also came on the spot who arranged the transportation and got me admitted in Civil Hospital, Fazilka where I am under treatment. The bone of contention is that Sukhdev Singh who was suspecting about my relations with his wife Paramjit Kaur. A Panchayat was already convened in this regard but still Sukhdev Singh did not stop suspecting me. Under this grudge of suspicion, above said persons by conniving with each other gave beatings to me. Statement has got been recorded before you in this regard, heard which is correct. I am aggrieved. Action be taken. Sd/-xxx”

4. Counsel for the petitioner submits that the petitioner has been falsely implicated owing to political vendetta and party faction in the village. Wife of the complainant at present is working as Sarpanch. He further submits that all the injuries attributed to the petitioner are simple in nature. The petitioner is behind bars for more than 2 months and 6 days and has clean antecedents.

5. State Counsel is not in position to dispute the factual assertions made by counsel for the petitioner based on record.

6. I have heard counsel for the parties and have gone through records of the case.

7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing



bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 31, 2024				(Pankaj Jain)
Dpr				Judge
	Whether speaking/reasoned	:		Yes/No
	Whether reportable	:		Yes/No