

212 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**CRM-M-32333-2023**  
**Date of Decision: 29.04.2024**

Daler Singh ...Petitioner

vs.

State of Punjab ...Respondent

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Veneet Sharma, Advocate  
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Sukhbir Maandi, Advocate  
for the complainant.

\*\*\*

**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.31 dated 03.05.2014 registered under Sections 307, 326, 324, 323, 382, 379, 148, 149, 201, 325 of IPC and Sections 25/27 of Arms Act, 1959 at Police Station Harike, Tehsil Patti, District Tarn Taran.

2. Learned counsel for the petitioner contends that the petitioner was named in the FIR, but no specific injury was attributed to him. He further contends that the petitioner was declared as proclaimed offender in this case along with three other co-accused, however, the proclamation was set aside by this Court on 28.04.2023 and the petitioner was directed to surrender within a period of 7 days. However, the petitioner could not surrender within 7 days and was later arrested on 23.05.2023 and he is in custody since then. Learned

counsel further contends that as per case of the prosecution, the petitioner had caused an injury with a sword on the right palm and hand of Pargat Singh and the statement of Pargat Singh was recorded after 12 days. He further contends that even the petitioner was injured seriously in the present case and it is a case of version and cross version. Learned counsel has also placed reliance on the order dated 14.11.2023 passed in CRM-M-34779-2023 (Annexure A-1), whereby, similarly placed co-accused Sunder Singh and Harbhajan Singh have been granted the concession of bail by this Court.

3. On the other hand, learned State counsel, assisted by learned counsel for the complainant, have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that in the present case Rashpal Singh-injured has suffered 10 injuries and out of those injuries, 06 injuries were opined to be inflicted by a sharp edged weapon and 05 injuries were declared to be grievous in nature. Learned State counsel further contends that the petitioner is also facing prosecution in four other cases.

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

5. The petitioner was arrested in the present case on 23.05.2023 and is in custody for the last more than 11 months. It is also apparent that similarly placed co-accused Sunder Singh and Harbhajan Singh have already been admitted to bail by this Court vide order dated 14.11.2023 (Annexure A-1). Thus, no purpose will be served by keeping the petitioner behind bars.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty

Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.
- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

29.04.2024.  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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