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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-33949-2024 (O&M)

Date of Decision:- 08.11.2024

Varinder Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Samay Singh Sandhwalia, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. H.S. Mander, Advocate
for the complainant.

AMARJOT BHATTI, J.

1. Petitioner – Varinder Singh has filed petition under Section 439 of Cr.P.C. for grant of regular bail in FIR No. 97 dated 03.06.2024, under Sections 323, 341, 308 and 506 of IPC, registered at Police Station City Rupnagar (Annexure P-1).

2. Facts of the case are Tanish Kumar complainant gave his statement to police that on 02.06.2024, he along with his father Rakesh Kumar and friend Gurbachan Singh were coming on their Toyota Etios car bearing Registration No. PB-12-AA-0107 from Landran (Mohali) to Nangal. At about 05:00 PM, they reached Toll Plaza Solkhian, where one person travelling in car bearing No. PB-71A-9763 started argument that he

(complainant) did not give side to his car. On this, complainant asked for



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apology in case he had committed any mistake. Said person called other persons on mobile phone and he (complainant) was stopped near Police Line, Rupnagar. The person who was driving car introduced himself as Patwari and he gave fist blow and *Kada* blow to his father, as a result of which he fell down and received head injury. Later on, he came to know that said person was namely Surinder Singh s/o Darshan Singh. He can recognize other persons on seeing. Said assailants managed to escape in their car. His father was taken to Civil Hospital, Rupnagar, further referred to PGI, Chandigarh where he remained under treatment. His father was not fit to make statement. Said Surinder Singh had also taken away keys of his car. With these allegations present FIR has been registered.

3. Learned counsel for petitioner argued that he is falsely implicated in this case being brother of main accused Surinderpal Singh. In-fact, he was called by police to inquire about Surinderpal Singh and thereafter, he was arrested. No specific role is attributed to him. In-fact, he had a scuffle with complainant and not with his father. He is behind the bars since 02.06.2024. He will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State assisted by learned counsel for complainant. It is pointed out that petitioner is also attributed specific role. Main accused Surinder Singh alongwith four unknown persons attacked complainant and his father. There is a video pertaining to this occurrence. Condition of victim Rakesh Kumar remained critical and his statement could not be recorded. Considering the gravity of



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offence, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. As per the facts, first incident took place at Toll Plaza Solkhian regarding overtaking of car. Thereafter, main accused Surinder Singh called his companions on telephone and stopped vehicle of complainant where scuffle took place. Name of present petitioner came into light during investigation. Fatal blow on person of Rakesh Kumar is attributed to Surinder Singh Patwari. As per allegations, present petitioner had scuffle with complainant. He has already joined investigation and is behind the bars since 02.06.2024. Trial in this case may take some time. Therefore, without expressing my mind on the merits, regular bail petition filed by petitioner – Varinder Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

08.11.2024

*lalit***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No