



CRM-M-34210-2024

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

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CRM-M-34210-2024

Date of decision: 5th September, 2024

Lovepreet Singh @ Labhi

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankit Joshi, Advocate for the petitioner.

Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C. by the petitioner seeking grant of regular bail in case bearing FIR No. 323 dated 15.11.2023 registered under Sections 307, 324, 506, 34 of IPC, 1860 at Police Station Civil Lines Bathinda, District Bathinda.

2. As per the prosecution allegation, on 14.11.2023, on receipt of an intimation regarding the admission of the complainant Navjot Singh in Civil Hospital, Bathinda due to injuries sustained in some altercation, a police party had reached there. The victim by that time had been shifted to some higher centre. On 15.11.2023, the statement of the victim who was admitted in AIIMS, Bathinda had been recorded who alleged that on 14.11.2023, he along with his friend Kuldeep Singh was crossing 100 feet



road Bathinda, when the accused Sandeep Singh @ Stelly who was already present there intercepted him and by asking as to why he had sent unsolicited messages to his wife, told him to not to repeat the same. Then at about 3:15 PM, when the complainant was present at a Food Stall of his village, the petitioner along with accused Sandeep Kumar Tali and two unknown persons reached there. They opened an assault upon the complainant by striking blows with axe and causing injuries to him and then fleeing therefrom. As per the medico legal report, the victim had sustained three grievous injuries and some simple injuries. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 09.03.2024. He suffered disclosure statement and in pursuance thereof, got recovered the weapon of offence i.e. an axe from the disclosed place. Investigation has since been completed.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case with an intent to extract money. He is in custody since 09.03.2024. None of the injuries sustained by the petitioner has been declared to be dangerous to life. The ingredients of Section 307 of IPC are not attracted. The trial is likely to take time. Therefore, it is urged that the petitioner deserves to be extended benefit of bail.

4. *Per contra*, it is argued by learned State counsel that there are serious allegations against the petitioner as he along with the co-accused with an attempt to kill him, had caused grievous as well as simple injuries



with sharp edge weapon on his person. The petitioner has criminal antecedents, since as many as four other cases three of which are similar nature have been registered against him. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. Counsel for the parties have been heard.

6. The petitioner in pursuance of common intention with co-accused is alleged to have made an attempt to kill him by causing simple as well as grievous injuries. He is in custody since 09.03.2024. Trial has commenced and is likely to take time. Mere registration of other cases is not a ground to deny benefit of bail to the petitioner. Keeping in view the period of his incarceration, the nature of the allegations as levelled against him and in view of the facts and circumstances of the case as discussed above, the petition is allowed and the petitioner is ordered to be admitted on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th September, 2024

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*