



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-34239-2024
Date of decision: 14.08.2024

GURDEEP SINGH
Versus
STATE OF PUNJAB
....Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. A.S. Brar, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Gaurav Rana, Advocate for the complainant.

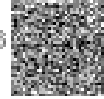
KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.22 dated 08.03.2024, under Sections 323, 341, 506, 148 and 149 of IPC (under Section 307 of IPC added later on), registered at Police Station Moonak, District Sangrur.

ALLEGATIONS AGAINST THE PETITIONER

2. The allegations, as levelled by the complainant in the present FIR, reads as under:-

“Statement of Jarnail Singh son of Darshan Singh, resident of Makror Sahib, Police Station Moonak. District Sangrur, aged about 43 years. M.No.98153-83134. Stated that I am a resident of the above mentioned and an agriculturist. Yesterday le. on 7.3.2024, I and my nephew Jashandeep Singh son of Karnail Singh, resident of Makror Sahib after finishing our fields. works were returning home on foot. At about 8.30 PM, when I and my nephew Jashandeep Singh reached near the Grain Market of our village Makror Sahib, then Baljeet Singh son of Bir Singh armed with baseball, Palwinder Singh son of Didar Singh armed with hockey. Harman Singh son



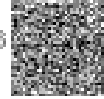
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of Gurdeep Singh armed with iron rod, Gurjte Singh son of Charanjit Singh armed with iron rod, Gurdeep Singh son of Virsha Singh armed with Gandasa, Didar Singh son of Nasabar Singh armed with rod and Mandeep Singh son of Virsha Singh, residents of Makror Sahib were already standing there. On seeing out they started hurling in filthy language and Gurdeep Singh raised lalkara and told that today we teach him lesson for stopping the light of fields. The above mentioned all the persons encircled me and my nephew Jashandeep Singh. Gurdeep Singh who was armed with gandasa gave blow on right side of my head and Harman Singh who was armed with iron rod gave a blow on my left hand which landed on ring finger Didar Singh gave an iron rod blow towards my left hand side which landed on ring finger of my left hand, Bajit Singh armed with baseball gave a blow on backside of my shoulder and Palwinder Singh holding hockey hit my back and I fell then I had fallen, Gurtej Singh holding left iron rod hit on my left elbow and Mandeep Singh hit on my left eye with fist. When my nephew Jashandeep Singh tried to save me from the above mentioned persons then these people also beaten my nephew Jashandeep Singh. Then we raised hue and cry again and again. Then these persons threatened to kill us and ran away from the spot with their respective weapons. Then my relatives Shimrat Singh son of Lakha Singh, resident of Makror Sahib came at the spot, who got us and my nephew Jashandeep Singh admitted in the Civil Hospital, Moonak. Where doctor gave me first-aid and after referred to CHC Sunam and my nephew Jashandeep Singh was admitted to Bhatia Nursing Home, Tohana. The reason of grudge is this that my brother Karnail Singh has got disconnected the electricity of Grid in order to set the Jumper of motor of fields and above mentioned persons were resisting the same and due to this reason above mentioned persons have beaten me and my nephew Jashandeep Singh.”

3. The learned counsel for the petitioner, in his asking for the hereinabove extracted relief, has made the following submissions:-

(i) Petitioner has been falsely implicated in the present case;

(ii) Learned counsel for the petitioner, has stated that the matter has been amicably settled between the parties concerned;



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(iii) The petitioner is not involved in any other criminal case;

(iv) The co-accused of the petitioner have already been granted the relief of anticipatory bail by this Court, vide order dated 27.05.2024 (Annexure P-4 and P-5) .

(v) Petitioner has suffered incarceration of more than 01 month, as on today.

4. Per contra, the learned State counsel, who is in receipt of advance notice, has placed on record the custody certificate of the petitioner, as issued by the Deputy Superintendent of Police, Sangrur Jail, District Jail Sangrur. The same is taken on record. A perusal of the custody certificate reveals that the petitioner has suffered incarceration of 01 month and 13 days, as on today. A perusal of the custody certificate further reveals that the petitioner is not involved in any other criminal case.

5. Learned counsel for the complainant has admitted the factum of compromise between the parties concerned, and submits that they have no objection in case the petitioner is granted the relief of regular bail.

6. This Court has examined the instant petition and is of the considered opinion that the instant petition is amenable for being allowed.

7. The reason for forming the above inference emanates from the factum that:- (i) The petitioner is on co-pedestal as that of his co-accused, who have already been granted the relief of anticipatory bail by this Court, vide order dated 27.05.2024 (Annexure P-4 and P-5); (ii) The petitioner has suffered incarceration of 01 month and 13 days, as on today; (iii) The matter has been compromised between the parties concerned; (iv) No fruitful purpose would be served by keeping the petitioner behind

the bars, (v) Trial is not likely to conclude anytime soon.

8. Considering the hereinabove made discussion, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

9. However, anything observed here-in-above shall have no effect on the merits of the trial, and is only meant for deciding the present petition.

10. All pending application(s) stand **disposed** of accordingly.

11. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as are involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court.

14.08.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No