

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37975-2023(O&M)
Date of decision:-18.05.2024

Randhir Singh alias Dhira alias Dhiru

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.K.D.S. Sidhu, Advocate
for the petitioner.

Mr.Brijesh, AAG, Punjab.

Ms.Anmol, Advocate and
Mr.Sandeep, Advocate
for the complainant.

SUVIR SEHGAL, J. (ORAL)

1. This third petition has been filed under Section 439 Cr.P.C.
seeking grant of post-arrest bail in:-

FIR No.	Dated	Police Station	Sections
02	18.01.2022	Bhadson, District Patiala	354, 379, 323, 427, 506 IPC (offences under Sections 325, 354-B, 379-B, 452 IPC and 25 of Arms Act, 1959 were added later on)

2. Version of the prosecution is that FIR, Annexure P1, has been lodged on the complaint of Shinder Kaur stating that on 17.1.2022 when her nephew Sarabjinder Singh came to meet her in his car, Randhir Singh @



Dheera, present petitioner, hit on the rear side of her nephew's vehicle with his car and got into an argument with him. Randhir Singh @ Dheera hit her and her nephew with a wooden stick and dragged her when she tried to rescue her nephew. Bir Devinder Singh, a neighbour tried to intervene, but Randhir Singh @ Dheera took out a pistol from his car and pointed it at her nephew, who ran to save his life. Randhir Singh @ Dheera forcibly took her nephew's car. An amount of Rs.17,000/-, two mobile phones and some documents were lying in the car. Later the complainant and the injured were admitted in a hospital where they underwent treatment.

3. Counsel for the petitioner urges that from the perusal of the FIR and from the evidence led by the crucial prosecution witnesses, no offence is made out. He submits that a brawl took place because of a minor accident between two vehicles and has been blown out of proportion. He asserts that besides the complainant, Bir Devinder Singh has been examined and the third vital prosecution witness is Sarabjinder Singh, who is abroad. Counsel asserts that the previous two bail petitions were filed prior to the recording of the deposition of the material witnesses and as there is a change in the circumstances, petitioner, who is in custody since 02.02.2022, deserves to be temporarily released.

4. *Per contra*, State counsel, who has been instructed by SI Karamjit Singh and is assisted by counsel for the complainant, has opposed the petition. It has been submitted that the petitioner is a psychopath and he has a blemished past. It has been asserted that the petitioner is not entitled to any concession as he has been named as an accused in another FIR registered



under Section 307 IPC during his detention. Upon specific instructions, State counsel submits that one witness has been fully examined and the cross-examination of the second material witness is underway.

5. At this stage, counsel for the petitioner submits that the petitioner has been granted bail in the FIR registered against him under Section 307 IPC vide order dated 01.02.2024 passed by this Court and stringent conditions have been imposed upon him. He submits that witness, Bir Devinder Singh, has been cross-examined by counsel for the petitioner.

6. I have heard counsel for the parties and considered their respective submissions.

7. The allegations levelled against the petitioner would remain a subject matter of debate before the trial Court. Noticing the detention of more than 27 months and nascent stage of the trial, this Court is inclined to accept the prayer made in the petition while imposing some conditions, which will have to be abided by the petitioner during the bail period.

8. Without adverting to the merits or demerits of the arguments addressed by counsel for the parties, petition is allowed. Petitioner is ordered to be released on bail on furnishing adequate bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

9. While being released on bail, petitioner shall surrender the firearm, in case he possesses any and also furnish an undertaking by way of an affidavit that during the pendency of the trial, he will not try to contact or intimidate the complainant or any vital prosecution witness either directly or indirectly. In case, he violates the undertaking, State shall be at liberty to



seek cancellation of the bail.

10. It is clarified that nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

11. Pending application (s), if any, stands disposed of.

(SUVIR SEHGAL)
JUDGE

18.05.2024

Brij

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No