



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

CRM-M-44510-2024

Date of Decision:-29.11.2024

Baljinder Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Gagandeep Singh Simble, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this third petition under section 439 Cr.PC is for the grant of regular bail in case FIR No.15 dated 26.02.2022 under Sections 307, 324,323, 148, 149 IPC and Sections 25, 54, 59 of Arms Act, 1959 registered at Police Station Mattewal, Police District Amritsar Rural, District Amritsar.

2. The present FIR came to be registered at the instance of Lal Singh and reads as under:-

“ Statement of Lal Singh son of Sohan Singh resident of Babbowal, aged 34 years, Mobile No.99141-24137. Stated that I am a resident of above mentioned address and do agriculture work. I along with Baljit Singh son of Gurnam Singh, Balwinder Singh son of Darshan Singh, Harpreet Singh son of Gurnam Singh, residents of Babbowal and we all four around 4.30 pm were going on our motor cycles from Tahli Sahib to Balpuria. On the



way, when we reached near the turn of Rupewali, then from the side of Mehmoodpur, Harwinder Singh @ Kalu son of Gajjan Singh, resident of Mattowal and Baljinder Singh resident of Bal, Gurinder Singh @ Baba resident of Chanan Ke, Tehpal Singh son of Baljinder Singh @ Sahba, resident of Bagga along with 4-5 unknown persons came riding motorcycles and after stopping us Tejpal Singh son of Baljinder @ Sahba, resident of Bagga raised a lalkara that earlier also they had fought with us, let us teach them a lesson. On this Harwinder Singh @ Kalu, who was armed with pistol, Gurwinder Singh @ Babba resident of Chanan Ke was having riffle 12 bore, Tehpal Singh was armed with baseball and Baljinder Singh was armed with datar, Harwinder Singh @ Kalu gave a fire from his pistol on Baljit Singh and the first bullet landed on his right flank and the second shot landed on the inner side of the left thigh. Then Kalu again fired from his pistol on Harpreet Singh, which landed near the elbow of his right hand and Tejpal Singh resident of Bagga gave a baseball blow on me which landed on the knee of my right leg and Gurinder Singh @ Babba resident of Chanan Ke fired from his 12 bore riffle directly towards Balwinder Singh son of Darshan Singh, and the pellets landed right from his feet till his head. Then Baljinder Singh resident of Bal gave a datar blow on Baljit Singh son of Gurnam Singh on his head, which landed on his head and the second blow landed on the elbow of his left hand and the third datar blow landed on the elbow of his left hand and the unknown persons who were armed with daang and sotas, they also gave us deep injuries. We all four fell on the ground and I raised a raula of maar ditta maar ditta. On this the above said accused ran away from the spot, along with their respective weapons. We in injured conditions were shifted to Guru Nanak Dev Hospital, Amritsar by Baljit Singh's brother Gurmeet Singh after arranging for a vehicle. Where I along with my other



colleagues are undergoing treatment. Harwinder Singh @ Kalu son of Gajjan Singh, resident of Mattewal, Baljinder Singh resident of Bal, Gurinder Singh @ Baba resident of Chanan Ke, Tejpal Singh son of Baljinder Singh @ Sabba resident of Bagga along with 4-5 unknown persons have attacked us with an intention to kill us by firing on us and by giving us injuries and has caused injustice. Kindly take legal action. Sd/- Lal Singh.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The injury attributed to the petitioner has not been declared dangerous to life and, therefore, no offence under Section 307 IPC was made out. No recovery had been effected from him. As he was in custody since 30.08.2022 and the Trial was not nearing completion, he was entitled to the concession of bail.

4. The learned State counsel on the other hand contends that serious allegations have been levelled against the petitioner and his co-accused. While, the petitioner had given injuries with a sharp edged weapon on the head of Baljit Singh. His co-accused Harwinder Singh @ Kalu had given firearm injuries to the said Baljit Singh. In addition, the petitioner was a habitual offender with as many as 08 other cases pending against him. Therefore, he was not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.

6. As per the allegations levelled in the FIR, the petitioner along with his co-accused caused multiple injuries on the person of Baljit Singh and others. He is a habitual offender with as many as 08 other cases registered against him. He had approached this Court on 02 earlier occasions and after arguing at length the said bail applications were withdrawn, the last one as recently as on 15.04.2024. No change in



circumstances has been pointed out entitling him to the concession of bail.
Therefore, the present petition stands dismissed.

7. However, the Trial Court is requested to conclude the Trial as expeditiously as possible but in any case not later than 06 months from the next date of hearing fixed before it.

(JASJIT SINGH BEDI)
JUDGE

November 29, 2024
Vinay

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