

2024:PHHC:009236

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

220

CRM-M-48654-2023

Date of decision : 24.01.2024

Baljeet Singh @ Lovely**..... Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. G.P.S. Pathania, Advocate
for the petitioner.

Mr. Iqbal Singh Mann, DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0048 dated 29.06.2023, registered for the offences punishable under Sections 323 and 34 of IPC (Sections 307, 325 and 450 were added later on and Sections 452 and 324 of IPC were deleted later on) at Police Station Shahpurikandi, District Pathankot.

2. As per the contents of the FIR, it has been alleged as under:-

“Statement of Daljit Kaur wife of Sh. Sarwan Singh resident of Village Jainiuparli, age about 27 years Mobile No. 8968091714, stated that, I a resident of the above said address and a housemaker. Thirteen years ago I got married to Sarwan Singh son of Ujagar Singh resident of Village Jainiuparla with all sikh rites. I got two children, we are living in joint family in which my father-in-law, mother-in-law and my brother-in-law (Devar) Arjun Singh living along with us, who is bachelor. On 28.08.2023 at around 09:00 PM in the night, as usual we were sitting in our house

2024:PHHC:009236

after having dinner, that my husband Sarwan Singh went to take household goods to the shop at Sujampur. In the meantime my Chacha Saura (paternal father-in-law) Ranjit Singh alias Banti and Baljit Singh alias Lovely sons of Roop Singh resident of Jainiuparli attacked on us entering into our house. Baljit Singh alias lovely has challenged, while entering into the house that catch hold them today and teach them the lesson of not leaving the possession of the landed property and then Baljit Singh alias lovely has grappled in arms my brother-in-law Arjun Singh and Ranjit Singh alias Bunty attacked on Arjun Singh with his hand held weapon datar (Sickle), which hit on the right side jaw of him and bleeding profoundly he fell down on the ground, to rescue Arjun Singh, I and my father-in-law came forward then Ranjit Singh alias Bunty attacked on me with the hand held sickle, which hit me on the finger of the left hand and then Ranjit Singh alias Bunty attacked on my father-in-law Ujagar Singh which hit him on the right thigh and many deep and hidden injuries were caused on the head of my father-in-law Ujagar Singh. Then I shouted that "**mar dita**", "**mar dita**" (**Killed**), **Killed**, then seeing the neighbour gathering, the culprit ran away alongwith their weapons form the spot. Reason behind the revenge is that Bunty and Lovely were trying to have illegal possession on our landed property and we are stopping them to do that. The whole incident has been seen by my father-in-law Ujagar Singh and my mother-in-law Malkiat Kaur. My neighbour Sarabjit Singh son of Late Sukhdev Singh and Chanan Singh son of Late Karnail Singh has brought us to the Pathankot Hospital by arranging the conveyance. Where the Doctor has given the first aid to my brother-in-law and recorded the MLR. Being injured

2024:PHHC:009236

severely, doctor has referred him to Guru Nanak Dev Medical College Amritsar. I and my family member due to severe injury got Arjun Singh admitted to Randhawa Hospital Sarna for the treatment, where he is under treatment. MLR NO. 2294/MJ/2023/PTK dated 28.06.2023 of Arjun Singh is produced to you. A strict Legal action must be taken against the accused Ranjit Singh alias Bunty and Baljit Singh alias lovely son of Roop Singh resident Jainiuparli accordingly.”

3. Petitioner is alleged to have grappled the victim in his arms while he was attacked by Ranjit Singh @ Bunty with datar.
4. Counsel for the petitioner submits that not only the challan stands presented, but the trial has proceeded considerably as 07 out of 19 witnesses already stand examined.
5. Counsel for the State does not dispute the aforesaid factual assertions based on record.
6. Keeping in view the custody, the fact that the petitioner has clean antecedents and the trial as proceeded considerably, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.01.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No