



CRM-M-54288-2024

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

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CRM-M-54288-2024

Date of decision: 7th November, 2024

Sandeep Kumar @ Stelli

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Satjot Singh, 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 case, 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 petitioner Sandeep Singh @ Stelli 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 co-accused Lovepreet Singh @ Labhi 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 12.04.2024. In pursuance of his disclosure statement, weapon of offence i.e. an axe was got recovered 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 12.04.2024. None of the injuries sustained by the petitioner has been declared to be dangerous to life. The co-accused Lovepreet Singh @ Labhi has since been extended benefit of pre-arrest bail. On parity, he too deserves to be released on bail. 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 made an attempt to kill him and had caused grievous as well as simple injuries with sharp edge weapon on his person. 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. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner in pursuance of common intention with co-accused is alleged to have made an attempt to kill the complainant by causing simple as well as grievous injuries. He is in custody since 12.04.2024. Trial has commenced and is likely to take time. 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

7th November, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |