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

CRM-M-56733-2024

Date of decision : 20.11.2024

Lovely @ Satgur Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Tanvir S. Grewal, Advocate for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner for grant of regular bail in case FIR No.65 dated 07.06.2024, under Sections 148, 149, 326, 323, 341 and 120 of IPC (Sections 326, 323, 201 IPC added lateron and Sections 379-B and 307 IPC deleted lateron) registered at Police Station Sadar Sangrur, District Sangrur.

2. As per the facts of the case, the FIR was registered on the statement of Manjit Singh S/o Niranjn Singh, wherein it was alleged that on 06.06.2024, his son was going on a motorcycle and he was following him on his separate motorcycle. On the way, when they reached near the boundary of the village Kalhaudi at about 6:00 pm, six young boys on two motorcycles surrounded his son and then started beating him. Out of them, one young person namely, Manpreet Singh whom he know earlier, got down from the motorcycle and gave a blow with the ice-pick on the chest of my son. Another young person gave iron rod blow on the right bicep of his son. They snatched the motorcycle of his son and started running away, however, they were chased and during this their motorcycle slipped and two of the accused namely, Aman Singh and Harjeet Singh @ Kaku



were caught. The request was made to take the legal action against the culprits in this case. After registration of the FIR, investigation commenced and the name of the petitioner surfaced in the statement of injured Rajveer Singh, which was recorded on 09.06.2024. Thus, he was arrayed as an accused and was arrested on 04.07.2024. Thereafter, the petitioner approached the Learned Additional Sessions Judge, Sangrur for grant of bail, however, after hearing both the sides, the same was declined by the Learned Additional Sessions Judge, Sangrur vide order dated 22.10.2024. Aggrieved by the same, the petitioner is before this Court by way of filing the present petition.

3. It has been vehemently contended by counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that neither the petitioner is named in the FIR nor any attribution has been made to him. He submits that as per the case of the prosecution, two of the accused namely, Aman Singh and Harjeet Singh @ Kaku were arrested on spot, however, both have been declared innocent by the investigating agency. He submits that statement of injured-Rajveer Singh was recorded under Section 161 Cr.P.C. on 09.06.2024 and he named the petitioner as one of the accused. He submits that even in his statement, no role has been attributed to the petitioner. He submits that as per MLR, two injuries were found on the body of injured-Rajveer Singh. He submits that the petitioner is behind bars from 04.07.2024. He submits that the investigation in the present case is complete and the petitioner has no criminal antecedents, he is a young boy aged 21 years. He submits that in the overall facts and circumstances of the present case, petitioner deserves to be granted regular bail.

4. Per contra, learned State counsel has opposed the



submissions made by counsel for the petitioner and submitted that the petitioner was named by the injured himself. However, he submits that there are two injuries as per the MLR out of which one injury was declared to be grievous but the same is attributed to the co-accused. He submits that as per instructions, the petitioner is not involved in any other case. He submits that the investigation is complete and challan has been filed in the present case.

5. Heard. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was named in the statement of the injured-Rajveer Singh which was recorded on 09.06.2024 and no role has been attributed to the petitioner. As submitted by learned State counsel, he petitioner is not involved in any other case. The investigation is complete and challan has been filed.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

20.11.2024

(RAJESH BHARDWAJ)
JUDGE

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