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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58116-2024
Date of decision : 26.11.2024

Dilpreet Singh
.....Petitioner

versus

State of Punjab and another
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ranbir Singh, 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 praying for grant of regular bail in case FIR No.65 dated 07.06.2024, under Sections 148, 149 of IPC and later on added Sections 326/323/201 IPC and removed Sections 379-B/307/341 IPC, registered at Police Station Sadar Sangrur Punjab.
2. Succinctly facts of the case are that the FIR was lodged on the statement of Manjit Singh. It was alleged that on 07.06.2024 after finishing his work, his son Rajveer Singh was going on his motorcycle towards Village Gharacho. He was following him on his motorcycle. When they reached near Village Kalodi Bridge Choa at about 06:00 PM then 06 young men on two motorcycles crossed his motorcycle and surrounded his son by obstructing his motorcycle by their motorcycles. One of them was Manpreet Singh who was armed with Sua. It was alleged that his son was attacked from the back side on his chest by Manpreet



Singh and the others also attacked his son. On raising the alarm, they escaped from the spot along with their motorcycles and his son's motorcycle however, they were chased and in the process, the motorcycle of some of the accused slipped and they were caught near the petrol pump. The co-accused escaped from there along with the motorcycle of his son. Request was made to take legal action against the accused. The FIR was registered for the offence under Sections 379-B, 307, 341 IPC and Sections 148/149 of IPC. However, during investigation, offence under Sections 379-B and 307 IPC was deleted and that of Section 326 IPC was added. During investigation, name of the present petitioner surfaced and thus, he was also arrayed as accused. He was arrested on 03.07.2024. Petitioner approached the Court of learned Additional Sessions Judge, Sangrur, however, the same was declined by the learned Additional Sessions Judge, Sangrur vide his order dated 22.10.2024. Hence, petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that neither the petitioner is named nor any attribution has been alleged against him. He submits that petitioner is a young boy whose name has been surfaced during investigation on the basis of the disclosure statement of the co-accused which is not an admissible evidence. It is submitted that the petitioner has not been attributed any injury caused to son of the complainant. He submits that petitioner is falsely implicated in one more case however, he is on bail in that case. He submits that investigation in the present case is complete and there being no prima facie case having been made out, petitioner deserves to be granted bail. He



further submits that the co-accused has already been granted bail by this Court.

4. Learned State counsel however, has opposed the submissions made by counsel for the petitioner. He submits that though the petitioner is not named in the FIR however, the complainant has alleged that his son was given injuries by about 06 accused. He submits that the FIR has been registered on the statement of the father of the injured who is eye-witness. He also submits that petitioner is involved in one more case. He submits that investigation is complete, challan is presented against the petitioner and now the charges are yet to be framed. However, he affirms that during investigation, offence under Sections 307 and 379-B of IPC were deleted and now the offence under Section 326 IPC has been added.

5. Heard. On hearing counsel for the parties and perusing the record, it is apparent that though the earlier offence under Sections 379-B and 307 IPC were there in the FIR however, during investigation, the same were deleted and offence under Section 326 IPC was added. Petitioner is not named in the FIR however, he has been arrayed as an accused on the basis of the disclosure statement of the co-accused. Investigation is already complete. Co-accused has been granted bail.

6. The veracity of the allegations would be assessed only after 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 trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

26.11.2024
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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