

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204+205+206	Date of Decision: 20.12.2024
1)	CRM-M-59237-2024
Ajay Kumar	...Petitioner
V/s	
State of Punjab	...Respondent
2)	CRM-M-59267-2024
Lucky Sharma	...Petitioner
V/s	
State of Punjab	...Respondent
3)	CRM-M-59289-2024
Rajwinder Singh @ Raja Boxer	...Petitioner
V/s	
State of Punjab	...Respondent
4)	CRM-M-59297-2024
Harpreet Singh alias Sunny alias Cheema	...Petitioner
V/s	
State of Punjab	...Respondent
5)	CRM-M-59525-2024
Roshan Kumar	...Petitioner
V/s	
State of Punjab	...Respondent
6)	CRM-M-59250-2024
Akash Rai Yadav and another	...Petitioners
V/s	
State of Punjab	...Respondent
7)	CRM-M-61682-2024
Sajan alias Kaibi	...Petitioner
V/s	
State of Punjab	...Respondent

**CRM-M-59237-2024 and other connected cases -2-****CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Ms. Ramneek Kaur Sandhu, Advocate
for the petitioner (in CRM-M-59237-2024).

Mr. Ravi Gakhar, Advocate,
for the petitioner (in CRM-M-59267-2024).

Mr. Gurjinder Singh Thind, Advocate,
for the petitioner (in CRM-M-59297-2024)

Mr. Inderpreet Singh Kooner, Advocate
for the petitioner(s)
(in CRM-M-59289-2024, CRM-M-59525-2024 and
CRM-M-59250-2024).

Mr. Arjun Kapoor, Advocate
for the petitioner (in CRM-M-61682-2024).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. By way of the instant order, the afore titled seven petitions for the grant of regular bail in FIR No.46, dated 23.03.2024, registered at Police Station Anaj Mandi, District Patiala, shall be disposed of.

2. On a statement given by one HC Gurpreet Singh, the FIR in question was registered. It was alleged that on 22.03.2024, while the complainant HC Gurpreet Singh and Constable Gurjot Singh were present for patrolling duty in a government vehicle at Focal Point, Patiala, information was received from Police Station Anaj Mandi, Patiala that 40/50 boys having weapons were sitting near the Primary School, Rasulpur Saidan. Upon receipt of the information, the complainant along with other police officials reached the spot. 40/50 boys on motorcycles/scooters armed with sticks and *kirpans* were coming from the opposite site. When they were instructed to stop, the said persons attacked the police party by accelerating the speed of their vehicles. One of the motorcycles bearing registration No.PB-11-CK-5781 (in some petitions it has been mentioned as PB-11-CK-5780) ran over the

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complainant HC Gurpreet Singh. The complainant fell down as a result of the impact and suffered a fracture in his leg. Certain persons were named in the FIR and it was stated that the said persons, in connivance with other accomplices, had attacked the police party with the intention of killing them.

3. The petitioners in the present case, were arrested on different dates. The custody certificates have been received as per which the petitioners are in custody as depicted in the following table:-

CRM-59237-2024	Ajay Kumar	8 months and 25 days
CRM-M-59267-2024	Lucky Sharma	3 months 26 days
CRM-M-59289-2024	Rajwinder Singh @ Raja Boxer	8 months 12 days
CRM-M-59297-2024	Harpreet Singh @ Sunny @ Cheema	8 months 12 days
CRM-M-59525-2024	Roshan Kumar	8 months 19 days
CRM-M-59250-2024	Akash Rai Yadav Ajay Kumar	6 months 14 days
CRM-M-61682-2024	Sajan @ Kaibi	8 months 12 days

4. Learned counsel for the petitioner(s) have submitted that the petitioners were falsely implicated in the present case; they were not named in the FIR; they have been in custody for a long time; final report under Section 173 Cr.P.C. has been submitted on 20.06.2024; trial shall take sufficiently long time to conclude; co-accused Shiva has been released on regular bail vide order dated 28.10.2024 passed in CRM-M-31594-2024, co-accused Som Nath @ Kalu vide order dated 28.10.2024 passed in CRM-M-27109-2024; co-accused Jony @ Jony Singh vide order dated 26.11.2024 passed in CRM-M-58151-2024; co-accused Suraj @ Sooraj vide order dated 28.10.2024 passed in CRM-M-44077-2024; co-accused Vicky Sharma vide order dated 05.11.2024 passed in CRM-M-53793-2024; co-accused Gaurav Singh Rajawat vide order dated 13.11.2024 passed in CRM-M-55656-2024 and co-

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accused Khushpreet Singh @ Goldy Singh @ Banku vide order dated 28.10.2024 passed in CRM-M-24674-2024 and, therefore, no useful purpose would be served by keeping the petitioners in custody.

5. *Per contra*, learned counsel representing the State of Punjab has opposed the prayer for the grant of regular bail, stating that if the petitioners are released on bail, they may try to influence and threaten the witnesses and may also abscond.

6. Having considered the submissions made by learned counsel for the parties, this Court is of the considered opinion that the petitioners deserve to be released on bail. As to whether they were a part of the assailants or not shall be determined during trial. Even those who had been named have been released on bail. The case of the petitioners is at a better footing than them. Final report under Section 173 Cr.P.C. has already been submitted and trial will take sufficiently long time. Petitioners are in custody as indicated in paragraph 3 herein above. Sufficiently long time has elapsed and in the considered opinion of this Court, no useful purpose would be served by keeping the petitioners in custody any longer.

7. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate Faridabad.

8. However, nothing stated herein above shall be construed to be an opinion on the merits of the case.

(VIKRAM AGGARWAL)
JUDGE

December 20, 2024

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