

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

Date of Decision: 14.02.2025

...Petitioner

VS.

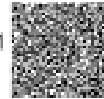
...Respondent

Mr. I.P.S. Sabharwal, DAG, Punjab.

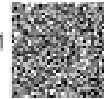
N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.56 dated 16.05.2024 registered under Sections 307, 326, 323, 324, 341, 506, 148, 149 of IPC, at Police Station Division No.4, Patiala.
2. The FIR in the present case was registered on the basis of the statement made by Saggar Sodhi and the same has been reproduced below:-

"At this time, it is entered that one statement of Saggarr Sodhi son of Ramanjit Singh resident of House No. 150, Adarsh Nagar-B, Ablowal, District Patiala recorded by ASI Baljinder Singh 1392/PTL Police Station Lahori Gate Patiala, for the purpose of registration of FIR under Sections 307, 323, 324, 341, 506, 148, 149 IPC against Lovepreet Shikari, Rohit Kaliyan and 7/8 unknown boys, has been received in Police Station through Constable Gurjant Singh 2346/PTL, the contents of which are as



follows, "Statement that Saggar Sodhi son of Ramanjit Singh resident of House No. 150, Adarsh Nagar B, Ablowal, District Patiala, aged about 24 years, Mobile No. 96676-45270. Stated that I am resident of above stated address and doing job in a hotel in Tilak Nagar Delhi but in view of my wife being ill, I, for the last about 2 months have come to home on leave. Today, I alongwith my friends had gone in the rally of Maharani Parneet Kaur M.P. Patiala/BJP at Green View Palace, Bhadson Road, Patiala. I alongwith my friends, after culmination of rally, came at Old Bus Stand Patiala and then at about 12:50 PM, Lovepreet Shikari, Rohit Kalyan and 7/8 unknown boys, armed with weapons, came at Old Bus Stand Patiala and immediately upon arrival, out of them, 7/8 unknown boys encircled me and Rohit Kalyan caught me from my arms and Lovepreet Shikari attacked me with the gandasi he was holding in his hands, with an intention to kill me, which hit at my back, the second blow was caused by him upon my left arm, third blow was caused at the ankle of my left leg and fourth blow was given on my left leg. I being flooded with blood fell down and then I raised noise of "Maarta Maarta". All of them, while giving me threats to kill and while abusing me, ran away from the spot alongwith their respective weapons. My friend Gurjeet Singh Cheema, after arranging vehicle, got me admitted in Rajindra Hospital Patiala for treatment purpose, where I am under treatment. The reason of enmity is that there was already dispute in between my friend Gurjeet Singh Cheema and aforesaid Lovepreet Shikari, on the pretext of settlement, had called us here, with an intention to kill us. Legal action be taken against the above persons. I have got recorded my statement to you, in the presence of my friend Gurjeet Singh Cheema, read, heard and the same is correct. Applicant Sd/- Saggar Sodhi, statement corroborated by Sd/- Gurjeet Singh aforesaid, Attested Sd/- Baljinder Singh ASI Police Station Lahori Gate Patiala, Dated 16.05.2024."

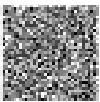


3. Learned counsel for the petitioner contends that the story projected by the prosecution in the present case is highly improbable and unnatural. The petitioner was wrongly arrested in the present case on 07.07.2024 and is in custody for the last about 07 months. After his arrest, the investigation was conducted by the police and the final report under Section 173 Cr.P.C. has already been presented against him. Further, the prosecution has intentionally delayed the trial against the petitioner and no witness has been examined so far. Learned counsel has further relied upon the orders (Annexure P-5 to P-7) to contend that other co-accused, namely, Lovepreet Singh @ Shikari, Gurpreet Singh and Ramandeep Singh have already been granted the concession of bail by this Court. He further contends that the petitioner has compromised the matter with the complainant and had also filed a quashing petition i.e. CRM-M-41726 of 2024 before this Court, but the same was withdrawn on 13.01.2025 as it was a partially quashing.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, admittedly, co-accused, namely, Lovepreet Singh @ Shikari, Gurpreet Singh and Ramandeep Singh have already been granted the concession of bail by this Court, vide orders (Annexures P-5 to



P-7). The petitioner is in custody for the last about 07 months and the trial has not even formally started against the petitioner.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

14.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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