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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18196-2025

Date of Decision:27.05.2025

HAPPY SINGH

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.0059 dated 07.06.2024, registered under Sections 324, 341, 148, 149 of IPC 1860 (offence under Sections 307, 201 of IPC 1860 was added later on), Police Station Sadar Malout, District Sri Muktsar Sahib.

2. The FIR in the present case was registered on the basis of the statement made by Jagjit Singh @ Sonu and the same has been reproduced below:-

“Statement of Jagjit Singh alias Sonu son of Darshan Singh son of Nanak Singh resident of village Katorewala, M.No. 62838-46044, age about 22 years, stated that I am resident of the above mentioned address and I do labour work. On dated 05.06.2024, at



around 08.45 PM, I along with my brother Ram Saroop and my friend Parampal Singh son of Tej Singh resident of village Katorewala were returning to my village Katorewala from Khedi Jym, Malout on Parampal Singh's motorcycle Hero Splendor No. PB-37J-2925. After dropping me and my brother Ram Saroop near our house, when Parampal Singh started to go towards his house on motorcycle. Suddenly, 08/09 people came out from the Ena Kheda side road, out of which Balwinder Singh son of Ajit Singh resident of Katorewala stopped Parampal Singh's motorcycle by getting in front of the motorcycle. Solar light in the street was on, then I saw Gehla Singh son of Balwinder Singh having Kapa, Jagmeet Singh alias Gora son of Baldev Singh alias Billa Singh having kapa, Jagna Singh son of Seera Singh had a kirpan, Happy Singh son of Bittu Singh had a sickle, Lucky Singh son of Bittu Singh, Gursharan Singh alias Gori son of Balwinder Singh had a handle of spade, Sajan Singh son of Jyoti Singh had a iron rod and Lovepreet Singh son of Channa Singh had a kapa residents of Katorewala. Then, in the sight of me and my brother Ram Saroop, Jagna Singh gave direct blow of kirpan to Parampal Singh with the intention of killing him, which hit him on his right shoulder. Then Gehla Singh hit Parampal Singh directly between his shoulders with his kapa. Then Lovepreet Singh hit Parampal Singh directly on the back of the waist with his kapa. And Jagmeet Singh hit Parampal Singh directly on the left thigh with kappa and Parampal Singh fell from motorcycle. When my brother Ram Saroop and I stepped forward to rescue Parampal, then Happy Singh struck me with his sickle with the intention of killing me, which hit me directly on the left side of my stomach, then I fell down and I. Parampal Singh and my brother Ram Saroop raised alarm then all the above-mentioned men ran away with their respective weapons from the spot raising lalkara's. Then my son Jagroop Singh and Parampal Singh's father Tej Singh arranged vehicle and admitted us at Civil Hospital, Malout for treatment.



Where the doctor referred me and Parampal Singh to a bigger hospital. Both of us were admitted to Bambay Hospital Bathinda for treatment. Where the doctor is treating us. The reason of enmity is that about 07 months ago, Parampal Singh and others had a fight with Jagmeet Singh and others and Jagmeet Singh was injured. Because of this reason, all the above-mentioned persons have caused injuries to me and my friend Parampal Singh. Legal action should be taken against them. I have recorded statement to you. Heard and is correct. Sd/-Jagjit Singh supporting statement SD/-Parampal resident Singh of village Katorewala, verified Sd/-Prabhjot Singh ASI, Police Station Sadar Malout, date 07.06.2024.”

3. Learned counsel for the petitioner contends that the dispute was mainly between co-accused, Jagmeet Singh and Parampal Singh and the petitioner has been wrongly involved in the present case. As per the case of the prosecution, the petitioner had caused injuries with *kappa* on the back of Parampal Singh and abdomen of the complainant. The injuries suffered by the complainant have been declared to be dangerous to life in the present case. He further submits that both the injured have already been discharged from the hospital. Moreover, co-accused Gurnishan Singh @ Gori and Balwinder Singh have been granted the concession of anticipatory bail, whereas Lucky Singh, co-accused has been granted the concession of regular bail. Other co-accused, Gohla @ Lovepreet Singh and Jagandeep Singh @ Jagna have also been granted the concession of bail in the present case.

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 carefully.

6. In the present case, the petitioner is stated to be in custody for the last about 03 months and the challan has likely to be presented shortly. Even, the injured has already been discharged from the hospital. Further, it is apparent from the orders Annexures P-2 to P-6, co-accused namely Gurnishan Singh @ Gori, Balwinder Singh, Lucky Singh, Jagandeep Singh @ Jagna and Gohla @ Lovepreet Singh have been admitted to bail in the present case. Thus, the further custody of the petitioner will not serve any useful purpose.

7. 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.

27.05.2025

vipin

(N.S. SHEKHAWAT)

JUDGE

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