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

CRM-M-20144-2025

Date of Decision:24.04.2025

HARWINDER SINGH ALIAS HAPPY AND ANOTHER

...PETITIONERS

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. H.P. Singh, Advocate
 for the petitioners.

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

 Mr. Aminder Singh, Advocate
 for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 483 of B.N.S.S., with a prayer to grant regular bail to them in case DDR No.20, dated 09.08.2024 (Annexure P-2) under Sections 126(2), 118(1), 115(2), 351(2), 351(3), 191(3), 190, 324(4) BNS, 2023 (Sections 118(1) & 118(2) of BNSS 2023 added later on) registered at Police Station Sherpur, District Sangrur in FIR No.58 dated 07.08.2024, registered under Sections 109, 115(2), 351(2), 191(3), 190 of BNS and Section 25 of Arms Act, 1959, Police Station Sherpur, District Sangrur.



2. Learned counsel for the petitioners contends that even though the petitioners have been named in the cross version, but they have been falsely involved because of previous enmity between the parties. As per the petitioner, the petitioner No.1 was allegedly armed with a sword and gave a blow on the nose of the complainant, whereas petitioner No.2 was allegedly armed with a *Kirpan* and gave a blow on the chin of the complainant, which landed on the right arm of the complainant. He further contends that the injury, which is attributed to Sukhwant Singh, petitioner No.2 has been declared to be simple in nature. The petitioners were arrested in the present case on 24.12.2024 and are in custody for the last about four months. He further contends that co-accused, Gurdeep Singh, Gursharanjit Singh @ Bittu and Harpreet Singh @ Happy have been granted the concession of anticipatory bail by this Court, whereas Amritpal, co-accused Singh has been granted the concession of regular bail by this Court. He further contends that it is a case of version and cross version and the question of aggressor is yet to be decided by the trial Court.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioners and they do not deserve the concession of bail by this Court.

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

5. Admittedly, it is a case of version and cross version and both the sides in the present case have suffered injuries. The petitioners are stated to be in custody for the last about four months and challan has already been presented



against them. Moreover, co-accused Gurdeep Singh, Gursharanjit Singh @ Bittu and Harpreet Singh @ Happy have been granted the concession of anticipatory bail by this Court, whereas Amritpal Singh has been granted the concession of regular bail by this Court. Thus, further custody of the petitioners will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

24.04.2025

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(N.S. SHEKHAWAT)
JUDGE

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