



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

CRM-M-27221-2024

Reserved on: 20th February, 2025

Pronounced on: 25th February, 2025

Tejinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Hoshiar Singh Jaswal, Advocate for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana.

Mr. Manoj Pundir, Advocate for the complainant.

MANISHA BATRA, J :-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 152 dated 25.09.2021 registered under Sections 148, 149, 323, 324, 325, 326, 302, 307, 341, 427 and 506 of IPC at Police Station Sadar Jagadhri, District Yamuna Nagar.

2. As per the prosecution case, on 24.09.2021, the complainant Baljinder Singh along with Damanjeet, Gurjit Singh and Malkit Singh, had gone in the vehicle of Damanjeet Singh, to take some medicines. On the same night, while they were going back towards their house, they were intercepted by the petitioner, co-accused Mandeep @ Happy, Harinder, Gauri, Happy, Daljit Singh @ Pinka, Kala and 20-25 youths, unknown to the complainant. Accused Mandeep made an exhortation to kill them and the



other assailants including the petitioner, who were armed with *bindas* of axes, iron rods, swords etc. opened an attack. Firstly by damaging their vehicle and then causing injuries to them. Accused Mandeep Singh struck blows with sword on the person of victim-Malkit Singh. Accused Gauri Singh struck blows with sword on the person of Damanjeet, accused Kala caused injuries to complainant with *dandas* and sword, whereas, the petitioner and co-accused Pinka @ Daljeet Singh caused injuries to the complainant. The remaining assailants gave them kicks and fist blows. On clamour being raised, family members of the complainant and some other persons rushed towards the spot and on seeing them, the assailants managed to flee. The injured were rushed to hospital. Initially, a case under Sections 148, 323, 324, 341, 427 and 506 of IPC was registered. Subsequently, offence under Section 307 of IPC was added on the basis of CT scan report of victim-Malkit Singh. He succumbed to his injuries, during the course of treatment. Offences under Sections 325, 326 and 302 of IPC were added. The petitioner was arrested on 27.09.2021. The co-accused were also arrested. Investigation has since been concluded and trial is going on.

3. The present petition had been filed by the petitioner on the grounds and it was argued by his counsel that he has been falsely implicated in this case. He is in custody since long. The co-accused Daljeet Singh, Kala, Vikramjeet Singh and Vikas Kumar have been extended benefit of bail. On parity, he too deserves to be extended benefit of bail. Even otherwise, no useful purpose would be served by detaining him in custody anymore. Accordingly, it is urged that the petition deserves to be allowed.

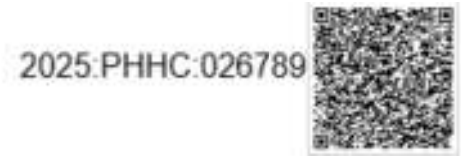
4. Status report had already been filed by respondent-State.



Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant had argued that there are serious and specific allegations against the petitioner. In his disclosure statement, the petitioner had disclosed that he too had hit the victim Malkit Singh, with a wooden *binda* of axe on his head and then had hit Gurjit Singh with a stick. The head injury on the person of the Malkit Singh proved fatal. The allegations against the petitioner are serious in nature. There is nothing on record to show that there would be any undue delay in conclusion of the trial as a good number of witnesses already stands examined. The petitioner has criminal antecedents as he was involved in four more criminal cases and has been convicted in three cases. There are chances of his absconding or committing similar offences, if extended benefit of bail. His case is not at parity with the co-accused who have been extended benefit of bail. Accordingly, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, he is alleged to have opened an attack upon the victims and caused injuries to them. The victim Malkit Singh had lost his life in the incident due to injuries sustained by him on his head. The head injury with wooden *binda* had been attributed to the petitioner as well as to the co-accused Mandeep @ Happy. The allegations against the petitioner are quite serious in nature. Keeping in view the gravity of these allegations, quantum of sentence which the conviction may entail and the attendant facts and



circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th February, 2025
Parveen Sharma
1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No