



**252+336 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision:14.05.2025

(i) CRM-M-25233-2025

Pawandeep Singh @ Papna ...Petitioner

vs.

State of Punjab ...Respondent

(ii) CRM-M-24730-2025

Gurpreet Singh alias Mantri ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Dhiraj Jindal, Advocate
for the petitioner (in CRM-M-25233-2025).

Mr. Virender Kumar, Advocate
for the petitioner (in CRM-M-24730-2025)

Mr. Ravneet Singh Joshi, DAG, Punjab and
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J.(oral)

1. This order shall dispose off above-said two petitions i.e. CRM-M-25233-2025, titled as “**Pawandeep Singh @ Papna Vs. State of Punjab**” and CRM-M-24730-2025 titled as “**Gurpreet Singh alias Mantri Vs. State of Punjab**”, whereby the petitioners have prayed for grant of regular bail to them in case FIR No.5 dated 03.01.2025 registered under Sections 109, 118(1), 191(3), 190 of BNS, at Police Station Talwandi Sabo, District Bathinda.



2. The FIR in the present case was registered on the basis of the statement made by Sukhpreet Singh alias Ghona son of Baldev Singh and the same has been reproduced below:-

“Statement of Sukhpreet Singh alias Ghona son of Baldev Singh, resident of Nasibpura, aged about 20 years, mobile number 96468-24634 stated that I am a resident of the said address and do agricultural work, we are two brothers, my elder brother is Gurpreet Singh. We both brothers are still single, on date 28.12.2024. It will be around 5:00-5:30 in the evening that I went from home to shop for purchasing the household items, when I reached near Baba Parmanand's Dera in the middle of the village, then Sukh son of Kaku of our village, Papna of Padhia son of unknown of our village was standing there, who used to take drugs. Sukh and Papna started abusing me. When I stopped them from doing so, both of them as stated above had kirch and then attacked me. When I tried to escape from them, Sukh as stated above attacked me with a kirch which hit on my waist and then Papna hit with the kirch in his hand which hit my left leg and when I tried to get rid of them and started running away, then Harmandeep Singh alias Chahal son of Jagsir Singh and Gurpreet Singh alias Mantri son of Leela Singh residents of Nasibpura came who also had weapons, Harmandeep Singh's father Jagsir Singh was also present who challenged that he should not be gone dry today then Harmandeep Singh @ Chahal hit me with the kirch in his hand with the intention of killing me, which hit me in the stomach and then I fell down. Gurpreet Singh Mantri @ Mantri hit me with kulhadi in his hand which hit me oppositely on the waist. Then these persons while I was lying down continued to beat me with their own weapons. I started shouting 'marta marta' and then the people of the village gathered there and while seeing the gathering the above stated persons ran away along with their weapons from the spot. I went from home to buy household items



from the shop and in my pocket I had a currency of one thousand rupees and a touch phone of Real Me which they also took out while going. Sukh, Papna, Harmandeep Singh, Gurpreet Singh etc. in conspiracy had given me beatings on the abetment of Jagsir Singh. Legal action should be taken against these persons. I have written a statement, I heard it and it's correct. Correct Sukhpreet Singh as stated above Confirmation Correct Jaskor Singh ASI Police Station Talwandi Sabo Dated 03-01-2025.”

3. Learned counsel for the petitioners submit that as per the case set up by the prosecution, Pawandeep Singh @ Papna (petitioner in CRM-M-25233-2025) was named in the FIR and allegedly caused an injury with a *kirch* on the left leg of the complainant. However, the said injury is declared to be simple in nature. Similarly, Gurpreet Singh alias Mantri (petitioner in CRM-M-24730-2025) had caused an injury with reverse side of the axe on the waist of the injured. Learned counsel further contend that the injury, which attracted the offence under Section 109 of BNS, was attributed to Harmandeep Singh @ Chahal and not to the petitioners. Learned counsel further submit that the injured in the present case has already been discharged from the hospital and is hale and hearty. The petitioners are in custody since 03.01.2025 and the challan has already been presented against them. Still further, the prosecution has not been able to examine even a single witness so far, out of total 20 witnesses and further custody of the petitioners will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners 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.



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

6. It is not in dispute that the injured in the present case has been discharged long ago and is healthy. The petitioners were arrested in the present case on 03.01.2025 and the challan has been presented against them. Moreover, no witness has been examined so far, out of total 20 witnesses and further custody of the petitioners will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petitions are 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.

(N.S.SHEKHAWAT)
JUDGE

14.05.2025

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