

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

**CRA-S-1715-2025 (O&M)
DECIDED ON:20.05.2025**

MANDEEP SINGH

.....APPELLANT

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.S. Punia, Senior Advocate and
Mr. P.S. Punia, Advocate
for the appellant.

SANDEEP MOUDGIL, J

CRM-21040-2025

Prayer in the present application is for placing on record summoning order dated 21.04.2022, Copy of the orders dated 06.07.2020, 06.08.2020, 18.07.2024, 26.03.2025 and copy of FIR No. 50, dated 06.05.2020, as Annexures A-1 to A-6, respectively with further prayer to exempt from filing the certified copy of impugned order dated 08.05.2025.

Application is allowed, as prayed for.

Annexures A-1 to A-6 are taken on record, subject to all just exceptions.

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1. The present appeal has been preferred against the order dated 08.05.2025 passed by learned Additional Sessions Judge, Patiala vide which the second bail application under Section 438 Cr.P.C. (now Section 482 of BNSS,

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2023) seeking anticipatory bail to the appellant in FIR No. 50, dated 06.05.2020, under Sections 302, 307, 326, 325, 324, 341, 506, 323, 148, 149, 188 and 120-B IPC and Sections 51 & 54 Disaster Management Act and Section 3(2), 5 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short '1989 Act'), registered at Police Station Passiana, has been dismissed.

2. The brief facts as narrated in the FIR as under:-

That on the statement of Yadwinder Singh son of Gurmeet Singh FIR no. 50 dated 06.05.2020 was registered under sections 302, 307, 323, 326, 324, 341, 188, 506, 148, 149 IPC and under sections 51, 54 of the Disaster Management Act, 2005, at Police Station, Passiana District Patiala, on the allegations that complainant along with his brother Bhupinder Singh and cousin Baljinder Singh were coming from Patiala to their Village after purchasing Medicine and Swift bearing registration No. PB-13-AJ-1147 which was driven by Bhupinder Singh. It is further alleged that at about 8:30 PM when reached the bypass bridge, they were going at a very slow speed, then one silver-colored swift car banged against their car from the front side. It is alleged that car they saw that in the lights of the car, Krishan Kumar alias Chicha son of Khila Ram, Varinder Singh son of Balvir Singh, Manjeet Singh alias Bittu son of Dayal Singh, Gurmeet Singh son of Ajmer Singh, Kulwinder Singh son of Karnail Singh along with kirpan came out of the car hurriedly attacked them and broke all glasses of car and pulled Bhupinder Singh out of the car. It is alleged that Krishan Kumar and Manjeet Singh put swords in the stomach of Bhupinder Singh and further it was stated that the remaining person also start attacking with knives and swords. It is further stated that two more cars came at the spot and Lakhi son of Prithi Ram, Mandeep Singh, Sandeep Singh sons of Jagdish Ram, Meshi son of Jassi Ram, Gurmeet Singh son of Ajmer Singh, Nindi son of Karnail Singh, Jagtar Singh son of Keshar Singh residents of Pasyana, Preet Saini resident of Korjiwal, Harinder Mahal resident of Korjiwal and Rupri resident of Dhabal lighted from the car along with kirpan, sticks and other weapons. Further, it is alleged that



some more person accompanying them and all of them attacked. When the complainant and Balwinder Singh came forward to rescue Bhupinder Singh, then they attacked them also inter-alia it is alleged that they fled away thinking that Bhupinder Singh has died. Then it is stated that they were taken to the hospital and Bhupinder Singh was referred to PGI where he died.”

3. It has been argued on behalf of the appellant that he has been falsely implicated in the present case. Initially, the FIR was registered against 14 individuals; however, during the course of the investigation, the complainant recorded a supplementary statement in which he named an additional 9 persons, including the appellant. It is submitted that, based on an application filed by the appellant, an inquiry was conducted by a Special Investigation Team (SIT), which concluded that 10 out of the total 23 accused, including the appellant, were found to be innocent. Consequently, their names were kept in Column No. 2 of the final report.

4. It is contended on behalf of the appellant that the appellant was not present at the scene of the incident on 05.05.2020 at approximately 8:15 PM. At the relevant time, he was allegedly on duty as a security guard at Downtown Restaurant, located opposite Polo Ground, Patiala. In support of this alibi, the appellant has produced CCTV footage.

5. Moreover, there is no direct allegation or specific role attributed to the appellant in connection with the incident. No specific injury has been ascribed to the appellant in relation to the deceased, Bhupinder Singh.

6. Mr. J.S. Rattu, Deputy Advocate General, Punjab, appearing on advance notice, seeks dismissal of the present appeal. He contends that the appellant has been specifically named in the case and was summoned pursuant to an application filed under Section 319 of the Cr.P.C. Furthermore, the order summoning the appellant has been upheld by the Hon'ble Supreme Court.



7. In light of the facts and submissions discussed above, and considering that the appellant has been specifically named, duly summoned under Section 319 Cr.P.C., and the said summoning order has been affirmed by the Hon’ble Supreme Court vide order dated 26.03.2025 passed in SLP(Crl) Nos. 14822-14829-2024 titled , this Court finds no ground to interfere.

8. Accordingly, the present petition is dismissed.

20.05.2025
sham/anuradha(a)

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>

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