

(221)

2025:PHHC:110542



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35843-2025

Date of Decision: 21.08.2025

KULWINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. R.S. Rai, Sr. Advocate with
Mr. Anurag Arora, Advocate
Mr. Vikram Sharma, Advocate and
Mr. Ribhav Singla, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate
Mr. Joban Singh Dhaliwal, Advocate
Mr. Nikhil Thamman, Advocate and
Ms. Malini Singh, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the second petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.57 dated 25.06.2023 registered under Sections 323, 324, 341, 506, 34 IPC, 1860 (Sections 307 & 326 IPC, 1860 added later on) at Police Station Chhajali, District Sangrur.

2. The present FIR came to be registered at the instance of Narinderpal Singh S/o Gurmeet Singh and the same reads as under:-

“Copy of statement, "Statement of Narinderpal Singh son of Gurmeet Singh resident of Khadial, Police Station Chhajli aged about 39 years. Mobile No. 98147-38001. Stated that I am

resident of above said address and I am an agriculturist. Manjit Singh son of Labh Singh is my elder uncle. I have land in village Khadial, which is adjacent to the land of my uncle Manjit Singh. On 24.06.2023, it will be around 10 o'clock that I was present at my house. I came to know that the electricity supply for agriculture has been supplied. Then I alongwith my father Gurmeet Singh came in our land on or our scooter. When I went to start the motor, it will 10:20 PM that I had reached in the land alongwith my father. Then after starting the motor, I went towards the outlet to manage water. I had torch in my hand. Then I saw that my elder uncle Manjit armed with sword, his son Kulwinder Singh armed with Kirch (knife), Makhan Singh son of not known resident of Ramgarh Jawandha was armed with a daang, ran towards me raising lalkara. Then Kulwinder Singh son of my elder uncle nabbed me and gave blow of his kirch at my stomach with intention to kill me. Then second blow was given by my elder uncle Manjit Singh at my head. However, I raised my right arm ahead to save me. The blow was hit at my right elbow. Then son of my elder uncle gave another blow at my head, I raised my left hand to save me, which hits on the little finger of my left hand. Then Kulwinder Singh again gave a blow of his knife (Kirch), which hit at my right-side ribs I fell down on the ground then Makhan Singh servant of my elder uncle gave blows of his daang at me while fallen down on ground. However, I raised clamour marta-marta. Then my father Gurmeet Singh came there by raising lalkara that don't worry I am coming be strong. Upon hearing noise of my father, my elder uncle Manjit Singh, his son Kulwinder and his servant Makhan Singh ran away from the spot alongwith their respective weapons by giving threats. Then my father arranged vehicle and got me admitted for treatment in Civil Hospital, Sunam. There I was given first aid and then I was referred to Rajendra Hospital, Patiala. Where I am getting treatment. The reason behind the grudge is that we have dispute regarding the electric motor adjacent to the land of my elder uncle qua its installation. My elder uncle stopped me from getting new connection as well as of shifting the connection. Thus, my

elder uncle Manjit Singh, his son Kulwinder Singh and his servant Makhan Singh had given beatings to me with the intention to kill me. I have recorded my statement, which is read over to me and is correct. Sd/- Narinderpal Singh.”

3. The learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is a case of version and cross-version and a criminal complaint has been filed by the petitioner himself who has received six injuries one of which is grievous. As the dispute is between family members, the petitioner is in custody since 07.10.2023 but only 03 of the 17 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner is entitled to the grant of bail.

4. An affidavit dated 20.08.2025 by way of an affidavit of Rupinder Kaur, PPS, Deputy Superintendent of Police, Sub Division Dirba, District Sangrur has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. The learned State counsel along with the learned Senior counsel for the complainant contend that the allegations levelled against the petitioner do not entitle him to the relief as prayed for. The injured suffered injuries attracting Section 307 IPC. They, however, concede that it is a case of version and cross-version that the petitioner is in custody since 07.10.2023 and that only 03 of the 17 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, the present case is one of version and cross-version in which the petitioner himself has received multiple injuries including one of which is grievous. It would be a moot point during the course of the trial

as to which party is the aggressor side. As the petitioner is in custody since 07.10.2023 but only 03 of the 17 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Kulwinder Singh S/o Manjit Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

21.08.2025

JITESH

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