



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

I. CRM-M-48601-2024

ANGREJ SINGH @ RANGA

. . . .PETITIONER

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

II. CRM-M-51082-2024

HARJINDER SINGH

. . . .PETITIONER

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

Reserved on: 21.01.2025
Pronounced on: 30.01.2025

CORAM: HON’BLE MR. JUSTICE DEEPAK GUPTA

Argued by:- Mr. S.P.S. Sidhu, Advocate,
for the petitioner (in CRM-M-48601-2024)

Mr. Vinod Ghai, Sr. Advocate, with
Ms. Kashish Sahni, Advocate,
for the petitioner (in CRM-M-51082-2024)

Mr. R.K. Takkar, DAG, Punjab.

Mr. A.S. Sekhon, Advocate, for the complainant.

DEEPAK GUPTA, J.

This order shall dispose of two petitions titled above, as in both of them, petitioners pray for their release on regular bail in case FIR No.141 dated 02.08.2023 under Sections 302, 450, 341, 506, 427, 326, 323, 324, 201, 148 and 149 of IPC, registered at Police Station Sadar Faridkot, District Faridkot.

2. For Angrej Singh @ Ranga (*petitioner in CRM-M-48601-2024*), it is his second petition, as his earlier petition bearing CRM-M-11782-2024 was dismissed as withdrawn vide order dated 24.05.2024 (Annexure P8).

3. Separate status reports in both the petitions have been filed on behalf of the respondent-State.

4.1 As per prosecution case, FIR was registered on 02.08.2023, on the basis of statement made by **injured-victim Basant Singh**, regarding the murder of his son Balkaran Singh. According to him, on 01.08.2023, at about 06:30/07:00 PM, his son Balkaran Singh was standing near their out-house, where they used to place their agriculture implements and tractor etc., when **Angrej Singh @ Ranga** (*petitioner in CRM-M-48601-2024*) armed with *Kulhari*, **Harpal Singh** s/o Angrej Singh @ Ranga armed with baseball bat, **Jabarjang Singh** s/o Angrej Singh @ Ranga armed with baseball bat and **Pammi** w/o Angrej Singh @ Ranga (empty handed) came in the street from the side of their house. Standing in front of his house, complainant-Basant Singh noticed Pammi raising lalkara to catch hold of his son Balkaran Singh and teach him a lesson for insulting her daughter-in-law. Then Harpal Singh gave baseball bat blow on the head of his son-Balkaran Singh; and Jabarjang Singh gave blow with his baseball bat on the head of his son. Both of them i.e. Harpal Singh and Jabarjang Singh gave many blows of baseball bat to his Balkaran Singh, who raised hue & cry and ran towards his house, but on the way, relatives of the assailants namely, **Billa** s/o Angrej Singh @ Ranga armed with baseball bat and **Harjinder Singh** (*petitioner in CRM-M-51082-2024*) s/o Angrej Singh @ Ranga armed with baseball bat came on their motorcycle, encircled his son and gave beatings to him. Though his son succeeded to enter their house, but the assailants intruded into their house along with their motorcycle and when he (*complainant-Basant Singh*) tried to intervene, Angrej Singh @ Ranga gave blow of his *kulhari* hitting on the left side of his abdomen. Both Billa and Harjinder gave blows of their baseball bat to the complainant on his head and back and further broken their household articles. When his wife-Baldeep Kaur and daughter-in-law-Gurpreet Kaur raised alarm, the assailants fled away from the spot leaving behind their

motorcycle. Their relative Kewal Singh s/o Darshan Singh managed to bring the injured at GGS Medical College, Faridkot, where his son Balkaran Singh was declared brought dead.

4.2 On the basis of abovesaid statement, FIR under Sections 302, 452, 341, 427, 506, 148 & 149 IPC was registered against Angrej Singh @ Ranga, Harpal Singh, Jabarjang Singh, Gurcharan Kaur @ Pammi, Harjinder Singh and Ravinder Singh @ Billa.

4.3 The postmortem examination on the dead body of Balkaran Singh, conducted at GGS Medical College, Faridkot revealed 11 external injuries on his body. The Medico Legal Examination of complainant-injured Basant Singh depicted 10 injuries on his person, out of which 8 were caused by sharp/sharp pointed weapon and 2 of the injuries were declared blunt. One of the injuries caused by sharp weapon was found to be grievous and as such, Section 326 IPC was added.

4.4 Status report as filed by the respondent-State reveals further that regarding the same incident, intimation regarding admission of Ravinder Singh @ Billa and Harpal Singh s/o Angrej Singh was received from Civil Hospital, Faridkot. Ravinder Singh @ Billa was brought to PGI Chandigarh for better treatment. Statement of injured Harpal Singh was recorded, as per which, on 01.08.2023 at about 06:37 PM, he had gone to take feed from his house, when Balkaran Singh (deceased) was loading bricks in the trolley near gate of his house and instigated him (Harpal Singh) to fight with him. Said Harpal Singh along with his uncle Mithu Singh came near the house, but the Panchayat members got the matter resolved. It was further stated by Harpal Singh that when Ravinder Singh @ Billa and he came on the motorcycle, Balkaran Singh (deceased) tried to hit Ravinder Singh @ Billa with a metal strip. He (Harpal Singh) caught the iron strip and then Basant Singh gave *tamba* blow on the head of Ravinder Singh @ Billa, who became unconscious. As his other brother Harjinder Singh raised hue and cry, both of his brothers and father came to the spot. He (Harpal Singh) was having hockey stick ,though his brother Jabarjang Singh was empty handed. At that time, Basant Singh and his son (Balkaran

Singh) were dragging Ravinder Singh @ Billa towards their house and when he tried to give hockey blow in order to save his brother Ravinder Singh @ Billa, Balkaran Singh gave kirpan blow hitting on his little finger of right hand. Basant Singh then gave *tamba* blow hitting on the wrist of his right hand. He and his brother Jabarjang Singh tried to save their life, when Mander Singh s/o Daler Singh and Daler Singh encircled them and Balkaran Singh, Basant Singh, Mander Singh and Daler Singh caused injuries to him, Harjinder Singh and Ravinder Singh @ Billa with their respective weapons.

4.5 On the basis of the above statement of Harpal Singh, cross case under Sections 324, 323, 341, 148 and 149 IPC was registered vide DDR No.46 dated 03.08.2023 against Balkaran Singh (deceased), Basant Singh, Mander Singh, Dalour Singh and Manjinder Singh son of Naib Singh. Subsequently, one of the injuries caused by sharp weapon on the person of Harpal Singh was found to be grievous and so, Section 326 was added in the cross case.

4.6 The two petitioners and other assailants were arrested from time to time. After completion of investigation, final report was submitted. Charges have been framed on 17.08.2024.

5.1. It is contended by learned counsel for both the petitioners that it is a case of version and cross version, wherein both the parties have suffered injuries and that it is yet to be established as to which party was the aggressor. Ld. counsel appearing for both the petitioners further contend that there is inordinate and unexplained delay in registration of the FIR, inasmuch as occurrence took place at about 6:37 PM on 01.08.2023, but FIR was registered at about 2:15 AM on 02.08.2023 and that this delay was used to falsely implicate the petitioners and all family members of Angrej Singh @ Ranga.

5.2 In addition to above, it is contended by learned counsel for the petitioner-Angrej Singh @ Ranga that in the FIR version, no injury whatsoever is attributed to the said petitioner to deceased Balkaran Singh and that the only injury attributed to him is on the left side of abdomen of complainant-injured/Basant Singh with Kulhari and that said injury, as per the medical

reports, has been found to be simple in nature. It is argued further that it is a case of group clash between two parties and every person is liable for his own individual act. Pleading that petitioner has no criminal history, prayer is made for grant of regular bail.

5.3 In addition to the common submissions noted earlier, it is further contended by Id. senior advocate for the petitioner-Harjinder Singh that there are material discrepancies in the prosecution case, inasmuch as no blood stains were found present inside the house of the complainant, though it was alleged that injuries to Balkaran Singh (deceased) were inflicted inside the house. It is further argued that though petitioner-Harjinder Singh was arrested on 02.08.2023 i.e. on the date of registration of the FIR, but still no recovery was effected at his instance. Id. senior advocate further pointed out towards the material contradictions in the statements made by the complainant-Basant Singh; and the other eyewitnesses including his wife and mother of the deceased Baldeep Kaur. It is argued that the manipulated belated statement of eyewitness Baldeep Kaur is recorded so as to match the same with the injuries mentioned in the MLR. The version of Baldeep Kaur to the effect that petitioner-Harjinder Singh picked up a tungli from the house of the complainant and co accused Ravinder Singh @ Billa picked iron rod from the house of the complainant and inflicted injuries on the person of the deceased and the complainant, did not mention this in the FIR. It is also argued that complainant side in connivance with the Investigating agency has improved earlier version by introducing belated manipulated statement of another eyewitness Gurpreet Kaur after 27 days of the alleged occurrence. With these submissions, prayer is made for grant of bail to the petitioner.

6.1 Strongly opposing the bail petitions, Id. State counsel ably supported by Id. counsel for the complainant has drawn attention towards the injury chart of deceased-Balkaran Singh as well as complainant-injured Basant Singh so as to contend that one of the injuries on the person of Balkaran Singh is attributed to Angrej Singh @ Ranga having been caused by Axe on his upper lips and the said Angrej Singh @ Ranga is also attributed to have inflicted as

many as six injuries with Axe on various parts of the body of Basant Singh. As far as petitioner-Harjinder Singh is concerned, it is pointed out that as per the injury chart, said petitioner inflicted as many as four injuries on the person of the deceased with baseball bat on various parts of his body including chest, abdomen, left shoulder and left leg and also inflicted two injuries on the back of Basant Singh with baseball bat.

6.2 Ld. State counsel further contends that the prosecution version is supported not only by the instant statement made by PW-Baldeep Kaur recorded on 02.08.2023 i.e. the date of registration of the FIR, but further corroborated by her testimony made during trial. It is argued further that both the petitioners along with co-accused were having the common object of causing murder of Balkaran Singh and that both of them along with others actively participated in the crime and so, none of them deserve to be granted the benefit of bail.

6.3 With these submissions, prayer is made for rejecting both the petitions.

7. I have considered submissions of both the sides and have gone through the record.

CRM-48601-2024 (Angrej Singh @ Ranga)

8. FIR has been lodged on the complaint of Basant Singh and as per the version made by him, petitioner-Angrej Singh @ Ranga is attributed to have inflicted a *kulhari* blow on the left side of his abdomen/flank. In this FIR version, complainant-Basant Singh did not attribute any injury to deceased Balkaran by petitioner-Angrej Singh @ Ranga. It is in the statement of Baldeep Kaur wife of Basant Singh recorded on 02.08.2023 that she stated that Angrej Singh @ Ranga had given various blows with Axe on different parts of the body of Basant Singh. PW-Gurpreet Kaur @ Gopi wife of deceased Balkaran Singh got recorded her statement on 28.08.2023 i.e. after 27 days from the date of occurrence, in which she also attributed injuries with Axe to Angrej Singh @ Ranga to her father-in-law Basant Singh. Thus, in these statements also, none

of them attributed any injury by petitioner-Angrej Singh @ Ranga to deceased Balkaran Singh.

9. However, during trial, it is stated by PW-1 Basant Singh and PW-2 Baldeep Kaur that petitioner-Angrej Singh @ Ranga had also given injury on the lips of deceased Balkaran Singh with an Axe. It is, thus, apparent that neither in the FIR version nor in the initial statements of the witnesses recorded under Section 161 CrPC, petitioner-Angrej Singh @ Ranga is attributed to have inflicted any injury to deceased-Balkaran Singh. Said petitioner-Angrej Singh @ Ranga is attributed to have caused numerous injuries to injured-complainant Basant Singh only and out of 10 injuries on his person, only 1 of them is found to be grievous, which is not on the vital part of the body of Basant. Petitioner-Angrej Singh @ Ranga is in custody since 06.09.2023. It is a case of version and cross-version, inasmuch as two members of the accused party have also sustained injuries.

10. Having noticed all the above facts and circumstances, but without commenting anything further on merits of the case, petition **(CRM-M-48601-2024)** is **allowed**. Petitioner-Angrej Singh @ Ranga is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, on usual terms and conditions.

CRM-M-51082-2024 (Harjinder Singh)

11. As far as petitioner Harjinder Singh is concerned, his case is on entirely different footing. In the initial version made by complainant-Basant Singh in the FIR itself, it is clearly disclosed that after being given beatings by Harpal Singh and Jabarjang Singh with baseball bat, when Balkaran Singh raised hue & cry and ran towards his house, Harjinder Singh (petitioner) along with Ravinder Singh @ Billa, both armed with baseball bat, came on the motorcycle, encircled Balkaran Singh and gave beatings to him. Not only this, when Balkaran Singh entered his house, both of them succeeded to enter his house along with their motorcycle and when Basant Singh tried to intervene, Angrej Singh @ Ranga had gave blow with kulhari on his left abdomen and then

petitioner-Harjinder Singh along with Ravinder Singh @ Billa caused various injuries with baseball bat on his head and back.

12. The injury chart, as referred in the status report, indicates as many as 4 injuries to have been inflicted by petitioner-Harjinder Singh with baseball bat on the chest, abdomen, left shoulder and left leg of the deceased-Balkaran Singh. PW-Baldeep Kaur, wife of Basant Singh had clearly stated in her statement recorded on 02.08.2023 before the police that Harjinder Singh after entering the house along with Ravinder Singh @ Billa had picked up straw fork lying in the storeroom and then had inflicted injuries to her son and her husband.

13. The contention of Id. Senior advocate that the site plan does not reflect any blood stain inside the house, is found to be incorrect because the scaled site plan (Annexure P2) clearly shows that at point ‘E’ (*which is inside the house of Basant Singh*), blood of Balkaran Singh on the floor was noticed by the police.

14. Having noticed all the abovesaid facts and circumstances, particularly the active role attributed to the petitioner-Harjinder Singh in causing injuries to deceased-Balkaran Singh as well as to complainant-Basant Singh, but without commenting anything further on the merits of the case, this Court is not inclined to grant benefit of regular bail to the petitioner-Harjinder Singh. As such, **CRM-M-51082-2024** pertaining to the petitioner-Harjinder Singh is hereby **dismissed**.

15. A photocopy of this order be placed on the files of connected case.

30.01.2025
Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
No