



205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57674-2024 (O&M)
Date of decision : 17.01.2025

Harpal Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.55 dated 05.04.2024, under Sections 323, 341 of IPC and Section 307 of IPC added later on, registered at Police Station Sidhwan Bet, Ludhiana, during the pendency of the trial.

2. Succinctly facts of the case are that the FIR in the present case was lodged on the statement of Lal Singh. It was alleged that on 28.03.2024, his son namely, Sandeep Singh was given injuries with wooden log by Harpal Singh who is mama of Sandeep Singh. He submits that though his son Sandeep Singh after receiving injuries came in the night however, on 29.03.2024, in the morning, his condition deteriorated due to the injuries caused to him and hence, he was admitted at Arora Neuro Centre Ludhiana for medical treatment. Request was made to take legal action against accused, Harpal Singh. On registration of the FIR, investigation commenced and petitioner was arrested on 06.04.2024. On completion of the investigation, challan was presented and the charges were framed. Petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of bail. However, after hearing



counsel for both the sides, learned Additional Sessions Judge, Ludhiana declined the same vide order dated 26.09.2024. Hence, petitioner is before this Court by way of filing the present petition.

3. It has been submitted by counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that both the sides are close relatives as petitioner is the maternal uncle of injured Sandeep Singh. He submits that the alleged occurrence has taken place on 28.03.2024 whereas, the present FIR has been lodged after an unexplained delay of about 07 days i.e. 05.04.2024. It is submitted that injured-Sandeep Singh was duly discharged from the hospital and thus, the ocular version is also not medically corroborated. He submits that petitioner has no criminal antecedents and thus, in the facts and circumstances of the case, he deserves to be granted bail.

4. Learned State counsel however, has opposed the submissions made by counsel for the petitioner. He has submitted that the injuries attributed to the petitioner were declared dangerous to life which has been medically corroborated. He submits that only charge is framed and thus, petitioner does not deserve the concession of regular bail. He has also placed on record custody certificate of the petitioner and submitted that petitioner is facing prosecution in one more case.

5. After hearing counsel for the parties and perusing the record, it is deciphered from the facts and circumstances of the case that both the sides are close relatives as the petitioner is said to be the maternal uncle of injured-Sandeep Singh. The occurrence had taken place on 28.03.2024 whereas, the FIR was lodged on 05.04.2024. The custody certificate produced by the learned State counsel would show that though petitioner is involved in one more case under the NDPS Act however, he is on bail in



the same.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

17.01.2025
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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