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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision:03.02.2025

(i) CRM-M-63753-2024

Inderjeet alias Nagar

...Petitioner

VS.

State of Haryana

...Respondent

(ii) CRM-M-3387-2025

Kake Singh @ Lakhwinder Singh @ Landi

...Petitioner

VS.

State of Haryana

...Respondent

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

Present : Mr.Dheeraj Narula, Advocate
for the petitioner in CRM-M-63753-2024.

Mr. Vishal Sharda, Advocate,
for the petitioner in CRM-M-3387-2025.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Arpandee Narula, Advocate for the complainant.

N.S.Shekhawat J.(oral)

1. This order shall dispose off above-said two petitions i.e. CRM-M-63753-2024, titled as Inderjeet alias Nagar Vs. State of Haryana and CRM-M-3387-2025 titled as Kake Singh @ Lakhwinder Singh @ Landi Vs. State of Haryana, whereby the petitioners have prayed for grant of regular bail to them



in case FIR No.89 dated 09.03.2023 registered under Sections 148, 149, 323, 325, 307, 302, 341 and 506 of IPC, at Police Station Ellenabad, District Sirsa.

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

“Stated that I am resident of Ward No. 5 Ellenabad, District Sirsa, aged about 40 years, mobile No. 8930202576 and I am doing private job. I have two children and both are boys, the name of my elder son Harmeet Singh and younger son is Gurmeet Singh who is studying in 10th class. Today on 08.03.2023, my son along with his friend Rohtash son of Sadhu Ram, resident of Bighar, Charanjit Kumar son of Amar Singh, resident of Nomla had gone from the house at around 10.00 AM on his motorcycle TVS to enjoy the Holi festival and at around 1.00 PM, when my son and his friends reached at Tibbi Adda Ellenabad, then Ajay Brar resident of Ward No. 6 Ellenabad armed with Kapa, Raju son of not known resident of Ward No. 5 armed with baseball, Pinki son of Mange Datar resident of Ward No. 4 armed with Lathi, Amit Sitia Nayak resident of Ward No. 4 armed with bottle, Mukesh son of not known resident of Ward No. 4 and Avtar Singh Bhular resident of Ward No. 4 armed with Lathi and iron rod and their 4-5 unknown associates armed with brick/brick bats/stonewere already present there and they have stopped the motorcycle of my son and they had thrown his motorcycle on the ground, in the meantime, Ajay Brar has given blow of his Kapa to my son with the aim to kill him which hit on his head, Raju has given blow of his baseball on the head of Charanjit, Pinky has given blow of his Lathi on the left side hand of my son, Amit has given blow of his bottle on the head of Rohtash, Mukesh Avtar has given kick blows



and fist blows to my son and 4-5 unknown persons have started beating to Rohtash and Charanjit and thrown bricks and stones on them and they all had caused injuries to my son and his friends. My elder son Harmeet alias Sonu has informed me about it that they are beating to my brother and his friends at Tibbi Adda, therefore I reached at the spot and on looking me there, all the assailants ran away from the spot along with their weapons by threatening to kill them and told that we have give you taste for not giving us the red colour, in the meantime, Ambulance reached there, then I made to sit my son, charanjit and Rohtash in the Ambulance who were badly injured and took them to Civil Hospital Ellenabad, where the doctor has referred my son and Charanjit to Sirsa. Legal action be taken against Ajay Brar, Raju, Pinky, Amit Sitia Nayak, Mukesh, Avtar and their 4-5 unknown associates. Statement got recorded, heard, same is correct. Sd/- Gurpal Singh, attested by Rajbir SI, Police Station Ellenabad dated 08.03.2023”.

3. Learned counsel for the petitioner - Inderjeet alias Nagar in CRM-M-63753-2024 submits that the petitioner was neither named in the FIR nor had any connection with the alleged crime and was arrayed as an accused on the basis of the supplementary statement made by the complainant after a long delay. He further contends that as per the PMR, the deceased had only suffered one injury, whereas, number of persons have been arrayed as accused in the present case by assigning the false role. Learned counsel has also relied upon the orders (Annexures P-4 and P-5) passed by this Court, whereby similarly placed co-accused, namely Tej Pal @ Annu Sharma and Pawan have already been granted the concession of bail by this Court.



3. Similarly, learned counsel appearing on behalf of the petitioner-Kaka Singh @ Lakhwinder Singh @ Landi in CRM-M-3387-2025 also submitted that the petitioner was also not named in the FIR and has been involved on the basis of the CCTV footage, in which, he has allegedly shown to be present at the place of occurrence. He has also relied upon the various orders passed by this Court, whereby, Tej Pal @ Annu Sharma, Ravi Sharma, Pawan, Himanshu Sharma, Sagar @ Kaku, Nirmal Singh, Sachin, Prince alias Kaku, Ramdev @ Ramu, Mukesh @ Tau, Avtar Singh @ Relu and Sahil alias Pinky have been granted the concession of bail by this Court, vide orders (Annexures P-4 to P-12). He further stated that the petitioner is in custody since 17.03.2023 and the prosecution has only been able to examine two witnesses so far. Thus, the petition is liable to be allowed by this Court.

4. On the other hand, status report in CRM-M-3387-2025 by way of an affidavit of Deputy Superintendent of Police, Ellenabad, Sirsa has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioners. Learned counsel further submit that the petitioners had participated in the occurrence and were clearly visible in the CCTV footage and the petitions deserve to be dismissed by this Court.

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

6. In the present case, both the petitioners have already suffered



incarceration for a period of more than one year and 10 months. The prosecution is yet to lead evidence with regard to complicity of both the petitioners in the present case and the trial is still stated to be pending at the nascent stage. Apart from that, Tej Pal @ Annu Sharma, Ravi Sharma, Pawan, Himanshu Sharma, Sagar @ Kaku, Nirmal Singh, Sachin, Prince alias Kaku, Ramdev @ Ramu, Mukesh @ Tau, Avtar Singh @ Relu and Sahil alias Pinky have been granted the concession of bail by this Court.

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, subject to the following conditions:-

- (i) *The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioners shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.*
- (v) *The petitioners shall also file their affidavits before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the*



pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioners involve in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioners.

03.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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