



CRM-M-64564-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-64564-2024 (O&M)

Date of Decision: 09.01.2025

BALVIR SINGH

.. Petitioner

Vs.

STATE OF PUNJAB AND ANR

..Respondents

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Ajay Singh Pundir, Advocate  
for respondent No.2.

...

**SUMEET GOEL, J. (Oral)**

1. Present petition has been filed under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.29 dated 04.06.2024, registered for the offences punishable under Sections 307/341/323/506/148/149 of IPC (Sections 201/325 IPC added later on) at Police Station Phool, District Bathinda, Punjab.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

*“Statement of Ravinder Singh aged about 25 years, S/O Harchand Singh S/O Niranjan Singh R/O Ghandabanna, District Bathinda, Mob. NO. 88920-20001. Stated that I am resident of above said address and is doing work of cab driver at Mohali. On dated 02.06.2024, I was coming towards Ghandabanna from village Channa, when I reached near dana mandi of Sandhu Khurd, at about 05:00 PM, 15/20 persons including reached near Dana Mandi Jagga Singh son of Unknown resident of Dhaula District Barnala Armed with Rod, Balveer Singh son of Surjit Singh Armed with Danda, Harpreet Singh @ Chitti son of Janta Singh Armed with Danda, Satnam Singh son of Surjit. Singh Armed with Danda, Ramandeep Singh son of Satnam Singh Armed with Hockey. Mandeep Singh @ Ghulla son of Balwinder Singh Master Armed with Danda, Gurjit Singh son of Jagsir Singh Armed with Angle, Princepal Singh son of*



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*Satnam Singh, Arpan Singh son of Jindi Singh, Surinderpal Singh son of Balveer @ Beera, Gurmeet Singh Geeta son of Gurjant Singh, Sanipal Singh son of Nikka Singh, Sukhpreet Singh son of Pappa Singh residents of Sandhu Khurd came forward on motorbikes near dana mandi. They nabbed me as they arrived. Arpan Singh son of Jindi Singh, Surinderpal Singh son of Balveer @ Beera, Gurmeet Singh Geeta son of Gurjant Singh, Shanipal Singh son of Nikka Singh, Sukhpreet Singh son of Pappa Singh, Princepal Singh son of Satnam Singh residents of Sandhu Khurd while raising lalkara said that today you will be not spared and caught me from my arms and with the intention of killing me, Jagga Singh son of Unknown resident of Dhola District Barnala given blow of his rod on me, which hits on the calf muscle of my left leg and I fell down. While lying down, Balvir Singh son of Surjit Singh given blow of his danda on the back of my buttocks, which hits on the left sides of my back. Harpreet Singh @Chitti son of Janta Singh resident of Sandhu Khurd given blow of his stick, which hit me on the right side on my back, Satnam Singh son of Surjit Singh resident of Sandhu Khurd given blow of his danda on me which hits on the right side of my back. I am standing. Then, Ramandeep Singh son of Satnam Singh hit me towards my head with a hockey stick, I moved back while moving aside my head to the left, but the hockey stick hit at my right knee, Mandeep Singh @ Ghulla son of Balwinder Singh given blow of stick on my left hand, Gurjit Singh son of Jagsir Singh resident of Sandhu Khurd given blow of angle, which hits at my right arm. Above said persons committed attack with intention to kill. During quarrel, my wallet and chain worn around my neck fell down, containing my credit card, ATM card, DL, Rs.6500 and some other documents which have not been found. Other unknown persons have also given beatings to me as well as given threats of killing to me. I raised clamor marta marta. People gathered there. Then all of above said persons ran away from the spot on their motorcycle alongwith their respective weapons. Then my brother Manpreeth Singh reached at the spot. My brother Manpreet Singh arranged a vehicle and got me admitted at Civil Hospital, Rampura. I am under treatment there. The grudge behind this is that there was a Kabaddi match about two years ago, in which I have also played. Due to the wrong decision taken by the referee, our team lose the match. Above said persons create nuisance there and our team opposed them. Since then they were keeping grudge. Therefore, in connivance with each other, above said persons have given beatings to me with intention to kill me. I can identify the unknown persons if they will come before me. Appropriate legal action may kindly be taken against Jagga Singh resident of Dhaura district Barnala, Balveer Singh, Harpreet Singh @Chitti, Satnam Singh, Ramandeep Singh, Mandeep Singh @ Ghulla. Gurjit Singh, Princepal Singh, Arpan Singh, Surinderpal Singh, Gurmeet Singh Geeta, Sanipal Singh, Sukhpreet Singh resident of Sandhu Khurd and other unknown persons. Statement has been recorded, read over and is correct. Sd/- Ravinder Singh.”*

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 13.11.2024. Learned counsel for the petitioner has submitted that the matter is under investigation and the same will take long time. Learned counsel for the petitioner has further submitted that no grievous injury has been attributed to the petitioner and thus it cannot be

said that the offence under Section 307 of IPC is made out against the

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petitioner. Learned counsel for the petitioner has further argued that a compromise has been effected between the concerned rival parties and in this regard, reliance is placed upon an affidavit dated 11.12.2024 stated to have been sworn in by one Ravinder Singh @ Raju (who is the FIR complainant). Learned counsel has further submitted that the petitioner is a man aged 54 years and does not keep very good health. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail.

5. Learned counsel for respondent No.2 has ratified the aspect of compromise having been entered into between the parties and has submitted that he has instructions to submit that an affidavit dated 11.12.2024 (copy whereof has been appended as Annexure P-3 with the instant petition) is actually sworn in by respondent No.2-complainant.

6. I have heard counsel for the parties and have gone through the available records of the case.

7. The petitioner was arrested on 13.11.2024. The matter is still under investigation. The rival contention of the learned counsel for the parties; as to what is the exact role of the petitioner in the alleged incident & as to whether the offence under Section 307 of IPC is made out against the petitioner in the factual matrix of the case; shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Further, the veracity/effect of the compromise having been effected between the parties and the weightage required to be attached to the affidavit dated

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11.12.2024 stated to have been sworn in by the complainant (copy whereof has been appended as Annexure P-3 with the instant petition) shall be gone into during the trial/appropriate proceedings. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per the custody certificate dated 08.01.2025 filed by the learned State counsel, the petitioner has suffered incarceration for more than 01 month and 26 days & is not shown to be involved in any other case. Suffice to say further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the present case.

8. In view of totality of factual matrix of the present case, the instant petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.

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(vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

9. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

10. Ordered accordingly.

11. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

12. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

09.01.2025  
Jasmine Kaur

(SUMEET GOEL)  
JUDGE

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