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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-40834-2025

Date of Decision:05.08.2025

Sukhdeep Singh alias Sukh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. R.S.Sidhu, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.5 dated 03.01.2025 registered under Sections 109, 118(1), 191(3), 190 of BNS, 2023, at Police Station Talwandi Sabo, District Bathinda.
2. The FIR in the present case was registered on the basis of the statement made by Sukhpreet Singh alias Ghona son of Baldev Singh and the same has been reproduced below:-

“Statement of Sukhpreet Singh alias Ghona son of Baldev Singh, resident of Nasibpura, aged about 20 years, mobile number 96468-24634 stated that I am a resident of the said address and do agricultural work, we are two brothers, my elder brother is Gurpreet Singh. We both brothers are still single, on date 28.12.2024. It will be around 5:00-5:30 in the evening that I went from home to shop for purchasing the household items, when I reached near Baba Parmanand's Dera in the middle of the village, then Sukh son of Kaku of our village, Papna of Padhia son of unknown of our village was standing there, who used to take drugs.

Sukh and Papna started abusing me. When I stopped them from doing so, both of them as stated above had kirch and then attacked me. When I tried to escape from them, Sukh as stated above attacked me with a kirch which hit on my waist and then Papna hit with the kirch in his hand which hit my left leg and when I tried to get rid of them and started running away, then Harmandeep Singh alias Chahal son of Jagsir Singh and Gurpreet Singh alias Mantri son of Leela Singh residents of Nasibpura came who also had weapons, Harmandeep Singh's father Jagsir Singh was also present who challenged that he should not be gone dry today then Harmandeep Singh @ Chahal hit me with the kirch in his hand with the intention of killing me, which hit me in the stomach and then I fell down. Gurpreet Singh Mantri @ Mantri hit me with kulhadi in his hand which hit me oppositely on the waist. Then these persons while I was lying down continued to beat me with their own weapons. I started shouting 'marta marta' and then the people of the village gathered there and while seeing the gathering the above stated persons ran away along with their weapons from the spot. I went from home to buy household items from the shop and in my pocket I had a currency of one thousand rupees and a touch phone of Real Me which they also took out while going. Sukh, Papna, Harmandeep Singh, Gurpreet Singh etc. in conspiracy had given me beatings on the abetment of Jagsir Singh. Legal action should be taken against these persons. I have written a statement, I heard it and it's correct. Correct Sukhpreet Singh as stated above Confirmation Correct Jaskor Singh ASI Police Station Talwandi Sabo Dated 03-01-2025."

3. Learned counsel for the petitioner submits that as per the case set up by the prosecution, the petitioner gave a blow with *kirch* on the waist of the complainant and the said injury has been declared to be simple in nature. He further contends that the injury, which attracted the offence under Section 109

of BNS, was attributed to Harmandeep Singh @ Chahal and not to the petitioner. Even similarly placed co-accused, namely, Pawandeep Singh @ Papna and Gurpreet Singh alias Mantri have been granted the concession of bail by this Court, vide order dated 14.05.2025 (Annexure P-3).

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

6. It is not in dispute that the injured in the present case has been discharged long ago and is hale and hearty. The case of the petitioner is at par with Pawandeep Singh @ Papna, who has already been admitted to bail by this Court, vide order dated 14.05.2025 (Annexure P-3). Moreover, the petitioner is in custody for the last more than 05 months and no witness has been examined so far. Thus, there are remote chances of early conclusion of the trial.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

05.08.2025
hemlata

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