



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

CRA-S-1077-SB-2007 (O&M)

Date of Decision:15.05.2026

Uggar Singh and Ors.

...Appellants

Vs.

State of Punjab

...Respondent

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

Present: Mr. S.S Majithia, Advocate
 for the appellants.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

CRM-21767-2026

1. Application is allowed as prayed for, subject to just all exceptions.

2. Annexure A-1 is taken on record.

Main case

1. The appellants have filed the present appeal against the impugned judgment of conviction and order of sentence dated 14.05.2007, passed by the Court of Additional Sessions Judge, Mansa, whereby the appellants were ordered to be convicted for the offences punishable under Sections 148, 326,326/149,325,325/149,323, 323/149 of IPC and were sentenced accordingly.

2. The F.I.R in the present case was registered on the basis of the statement made by Joginder Singh, who stated that he along with his brother Bant Singh was sitting in their house at about 8.30 p.m. and both of them were talking with each other about the house-hold affairs. In the mean time, accused



Ajmer Singh armed with *Kirpan*, accused Gurcharan Singh armed with *Soti*, accused Ballam Singh armed with *Soti*, accused Sarbjit Singh armed with *Soti*, accused Uggar Singh armed with *Soti* and accused Ajaib Singh armed with *Kirpan* came to their house. On an alarm having been raised by accused Ballam Singh that they will teach a lesson for causing injuries to his brother Kehar Singh, accused Ajmer Singh delivered *Kirpan* blow which hit the complainant on his left flank, Gurcharan Singh gave *Soti* blow which landed on the chest of the complainant, accused Ballam Singh gave a *Soti* blow which rested on the back of left shoulder of complainant. Sarbjit Singh gave a *Soti* blow which hit the left elbow of Bant Singh, Ballam Singh repeated 'Soti blow which fell on left leg of Bant Singh, Gurcharan Singh inflicted *Soti* blow on the left leg of Bant Singh, Ajaib Singh gave *Kirpan* blow from its reverse side which hit on the left leg of Bant Singh, accused Uggar Singh delivered *Soti* blow which landed on left leg of Bant Singh. Then, Jamail Kaur, wife of Bant Singh, alongwith her children raised alarm "Save Save". Complainant party rushed to the inner house out of fear. Complainant went unconscious and was admitted in Civil Hospital, Mansa where he was medico-legally examined. Motive behind the occurrence was stated to be that Kehar Singh and Ballam Singh had got fabricated a sale deed regarding the land of complainant's sister Gurtej Kaur by putting an imposter in place of Gurtej Kaur.

3. In the present case, after necessary investigation, challan was presented against all the appellants. After perusing the challan and other accompanying documents, the Court found that a prima facie case under Sections 148, 326, 326/149, 325, 325/149, 323, 323/149 of IPC was made out



against the appellants and they were charge-sheeted accordingly. However, they pleaded not guilty and claimed to be tried by the Trial Court.

4. In order to prove the charge against the appellants, the prosecution examined 13 witnesses.

5. After the closure of the prosecution evidence, the statements of appellants were recorded under Section 313 Cr.P.C and all the incriminating evidence was put to them, to which they pleaded that they had been falsely involved in the present case. In defence, appellants have tendered documents Mark A to Mark D and closed their defence evidence.

6. At the very outset, learned counsel appearing on behalf of the appellants submit that he does not wish to challenge the impugned judgment of conviction and some leniency may be shown by this Court while awarding the sentence to them. Even though, learned counsel for the appellants has not challenged the judgment of conviction, still this Court has considered the case on merits.

7. Learned counsel for the appellants further submits that the parties have entered into a compromise deed and a compromise deed dated 20.12.2019 (Annexure A-1) has been signed between the parties. Both the sides have decided to live peacefully and for the last several years, they have maintained peace in the village.

8. On the other hand learned counsel for the respondent/complainant also submits that he has no objection in case the prayer made by learned counsel for the appellants is accepted.

9. I have heard the learned counsel for the parties and with their able



assistance; I have gone through the trial Court record carefully

10. In order to prove the offence, the prosecution examined PW-1 Dr.Varinder Kumar, Medical Officer, R.C.H., Bareta, who stated that on 05.07.2001, he medico-legally examined Joginder Singh. He examined the patient as per MLR No.VK/52/2001. His BP was 100/60 and pulse rate was 98 per minute. He found the following injuries on his person:-

- 1. 8 cm x 3 cm x 2 cm incised wound was present on left anterior superior iliac spine, running horizontally. Fresh bleeding present, X ray was advised.*
- 2. 2 cm x 05 cm long lacerated wound was present on front of sternum, 4 cm below sterno clavicolar joint. Fresh bleeding was present. X ray was advised.*
- 3. 2 cm X 1 cm abrasion present just on back side of left shoulder joint.*

Injury Nos. 1 and 2 were kept for X-ray and injury No.3 was simple in nature. Probable time was within 6 hours. Weapon used for injury no.1 was sharp and for Nos. 2 and 3 was blunt in nature.

11. On the same day, as per MLR No. VK/53/2001, at 1.40 p.m. he also medico- legally examined Bant Singh son of Mukand Singh, 74 years male, resident of Jalbera, Police station, Bareta. Patient came to the hospital to with alleged medico-legal injuries. His BP was 110/70 and pulse rate was 96 per miunte. He found the following injuries on his person:-

- 1. 5 cm X 2 cm reddish bruise with swelling present on left forearm on back side, running horizontally, 10 cm above wrist joint. X ray was advised.*



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2. 4 cm x ½ cm lacerated wound present on left leg lateral side, 11 cm above lateral malleolus. Fresh bleeding was present. X ray was advised.
3. Another laceration 4 cm x ½ cm present, 5 cm above injury No.2, fresh bleedings was present. X-Ray was advised.
4. 5 cm x 2 cm reddish bruise with 1x1 cm abrasion in its middle present on back of right leg. 7 cm below knee joint. Fresh bleeding was present. X-Ray was advised.

12. The prosecution further examined Dr. Ashok Kansal as PW-2 and stated that on 08.07.2001, he was posted as Medical Officer in Civil Hospital, Mansa. He conducted the X-Ray examination of Joginder Singh and observed as under:-

- “1. X-Ray pelvis showed fracture left iliac bone.
2. X-Ray chest with shoulder-NAD”

He had brought the original X-ray report registered with him. Ex.PF is his report, which bears his signatures and is correct according to the original. Ex.PF/1 & Ex. PF/2 are the X-ray films of Joginder Singh. On 07.07.2001, he also X-rayed Bant Singh son of Mukand Singh resident of Jalbera and found the following:-

1. X-ray left forearm showed fracture of left radius. No callus formation. Also old united fractures on left ulna seen.
2. X-Ray left leg-N.P.A.
3. X-ray right leg-N.A.D.

He had brought the original with him. Ex. PG is his correct X-ray report, signed by him, Ex.PG/1 to Ex.PG/4 X-ray films. He had brought the original bed-head-ticket of Joginder Singh and Bant Singh. Ex. PH and PJ are the original



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bed-head-tickets respectively. He identified the signatures of Dr. Tarlok Singh and Dr.Kulwant Singh as they have worked with him.

13. The prosecution further examined Ajaib Singh as PW-3, who had conducted the initial investigation in the present case. Lakhbir Singh appeared as PW-4, who stated that the case property was deposited with him in the police station and there was no tampering with the case property. S.I Sukhchain Singh appeared as PW-5, who later on conducted the investigation, being the SHO in the present case. The complainant namely Joginder Singh appeared as PW-1 and had fully supported the case of the prosecution. He was subjected to lengthy cross-examination, however, his testimony could not be shattered in any manner. His statement has been duly corroborated by the statement of PW-9, Bant Singh also.

14. The prosecution further examined PW-7 HC Harjit Singh, PW-8 MHC Angrej Singh, PW-10 HC Jaskaran Singh and PW-11 S.I Balwinder Singh, who had joined the process of investigation at different stages and proved the investigation in the present case. PW-12 Inspector Jarnail Singh was posted as SI/SHO of Police Station Bareta, who also proved the investigation. Dr. Satpal Jindal appeared as PW-13, who admitted Bant Singh and Joginder Singh injured in Civil Hospital, Mansa and declared both of them fit to make the statements.

15. From the statements of aforementioned witnesses, the prosecution has been able to prove the charge under Sections 326,326/149,325,325/149,323, 323/149 of IPC beyond any shadow of doubt against the appellants and have been rightly convicted by the Trial Court. Even otherwise, I have gone through



the judgment passed by the Trial Court and found that there is no illegality, perversity or infirmity in the impugned judgment passed by the Trial Court and the impugned judgment of conviction is ordered to be upheld.

16. Now, advertent to the order of quantum of sentence in the present case, this Court cannot lost sight of the fact that the F.I.R in the present case was registered on 05.07.2001 and the appellants are facing the agony of trial/appeal for the last about 25 years. Even the matter has been amicably resolved between the parties. Also, most of the appellants have also undergone substantial period of custody and have since maintained good conduct. Consequently, the order of sentence is modified to the extent that the sentence imposed on the appellants are reduced to the period already undergone by them and the amount of fine will remain the same.

17. With the above modifications, the appeal is partly allowed and the impugned judgment of conviction is upheld, whereas, the sentence imposed on the appellants is reduced to the period already undergone by them and the amount of fine will remain the same.

18. Case property, if any, be dealt with as per rules.

19. The Trial Court record be sent back, if any.

20. Pending application(s), if any, stand(s), disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

15.05.2026
hitesh

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