

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42854-2024
Reserved on: 05.02.2025
Pronounced on: 15.02.2025

Satwinder Singh Gill @ Laddu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Sukhdev Singh, A.A.G, Punjab.

Mr. Armaan Gagneja, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
05	08.02.2024	Ghall Khurd, District Ferozepur, Punjab	307, 341, 427, 506, 148, 149 IPC and 25, 27 of Arms Act

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. As per paragraph 20 of the bail petition as per paragraph 13 of the reply dated 09.09.2024, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Dated	Offenses	Police Station
1.	103	21.10.2021	380, 457, 427 IPC and Section 201 IPC	Ghall Khurd, Distt. Ferozepur
2.	115	16.09.2020	326, 325, 323, 506, 201, 304 IPC	Talwandi Bhai, Distt. Ferozepur
3.	182	30.08.2019	379-B IPC	South Moga

3. The facts and allegations are taken from the translated copy of the FIR attached to the bail petition, which reads as follows:

*“Statement of Arshdeep Singh @ Arsh son of Rashpal Singh resident of
xxxxxxx Police Station Ghal Khurd, aged about 25 years M. No. 90410-
xxxxxx. Stated that I am resident of above mentioned address and*

studied upto +2 Class and now I have been working with my brother Ranjodh Singh @ Jodha regarding denting and painting of cars in Mudki, Kulbir Singh son of Piara Singh resident of Mudki, who is a friend of my brother Ranjodh Singh. Yesterday on 07.02.2024, it was Kulbir Singh's birthday, due to which, he organized a party at Chhotu Da Dhaba, Talwandi Road, Near Toll Plaza and he invited us and other persons to attend his birthday party. Therefore, we all friends gathered in Mudki around 08.00 in the night, we all including Sukhraj Singh alias Gaggi son of Gurmail Singh, Harpreet Singh son of Nirmal Singh, Gurjant Singh son of Balwinder Singh, Gurjeet Singh alias Mander son of Gurpreet Singh, Rahul, Lovepreet Singh son of Satpal, all residents of Mudki and Avinash alias Heera son of Satpal resident of Itta Wali and Sukha son of Gurdev Singh resident of Village Lalle, went on three cars, one was of Kulbir Singh make Ford icon bearing No. CH-01-AF-6429 and my brother Ranjodh Singh's car Verna bearing No. PB-09-AE-8680 coloured Silver and another car belonging to our friend Navninder Singh alias Navi son of Harjinder Singh resident of Pakhi Kalan make Etios Toyota Colour White and arrived at Chhotu Da Dhaba around 08.30 PM for party, the birthday party of Kulbir Singh was going on then it was about 10.15 PM, Karan Kumar Sharma son of Prem Kumar resident of Jhatra Road, Zira and Gurjit Singh @ Mundri son of Jeet Pal resident of Bengali accompanied by cut hair unknown youngster, they came to Chhotu Da Dhaba and started altercation with us. Then I asked my brother Ranjodh Singh for the reason, who told me that there having monetary dispute with them. Therefore, they indulged in altercation with us, after some time, Rahul and Lovepreet Singh sons of Satpal residents of Mudki went back to their house and we after finishing the party, about 10.30, Heera and Sukha sit in the car of Kulbeer Singh, Sukhraj Singh Gaggi and Harpreet Singh sit in the car make Verna of my brother Ranjodh Singh and I Gurjant Singh and Gurjeet Singh Mandher sit in the car of Navninder and went towards the Mudki site, then Karan Kumar and Gurjeet Singh Mundri etc. hit their car make Innova Colour Silver Grey and hit it with the car make Ford Icon of Kulbeer Singh, then Kulbeer Singh tried to save himself then the driver of the Innova car again hit the car of Kulbeer Singh then he sped away the car. Thereafter, we took all the three cars at the Motor situated near the house of Harpreet Singh, the car of Kulbir Singh was damaged and Avinash alias Heera had suffered injury on his foot, due to which, he was suffering from severe

pain, due to damage condition of Kulbeer Singh's car, we make Heera to sit in the car of my brother and Sukhraj, Harpreet Singh, Kulbir Singh and Sukha sat on the back seat of the car and took Heera for medical treatment to the side of Mudki behind them, I, Gurjant Singh, Gurjeet Singh alias Mander sat in the second car of Navninder, which was being driven by Navninder. When we reached at Mahla Road near the gate of Village Fidde, then from the opposite side, two cars, out of which, Karan Kumar Sharma was sitting in Innova Car and was accompanied with two unidentified persons, who were having pistols were standing there, they stopped the car of my brother and started firing towards the Verna Car, the car went out of control due to bullet hit to my brother Ranjodh Singh and entered the fields, thereafter, Sukhraj Singh etc. sitting on the back seat of the car ran towards the fields in order to save themselves, the other car Swift colour white in which Roshandeep Singh son of Shinder Singh resident of Hakumat Singh Wala, accompanied by Gurjeet Singh alias Mundri son of Jeet Pal resident of Bengali, who were having pistols. They all started firing towards the car of Navninder and one bullet hit to Gurjant Singh son of Balwinder Singh resident of Mudki on his stomach, then we sped away our car in order to save our lives. All of them escaped from the spot with their respective weapons on Innova and Swift car while giving threats to eliminate us, after sometime, the son of Harpreet Singh's uncle (Chacha) namely Lovepreet Singh and we arrived at the spot as my brother Ranjodh Singh suffered two bullet injuries, one on the head and the second on the stomach and Gurjant Singh also suffered a bullet injury, they were got admitted in Guru Gobind Singh Medical College, Faridkot after arranging the vehicle. The doctor told us about the critical condition of my brother and referred him to PGI, Chandigarh. Motive behind the occurrence is that my brother Ranjodh Singh alias Jodha and the other party Karan, Roshan and Mundri are of same friend circle and having monetary dispute. Due to which, they have assaulted us to kill. Due to dark, I could not identify the registration numbers of the cars. Legal action may kindly be taken against them."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply. He submits that vide

order dated 15.10.2024, a co-ordinate Bench of this Court had granted interim bail to the petitioner subject to some conditions including joining investigation etc. But he did not join investigation till date.

6. However, counsel for the petitioner does not dispute the aforesaid fact.
7. State counsel refers to para 12 of the reply, which read as follows:

“Role of petitioner, material collected against him by the Investigating Agency

12. That as per the statements of the injured Gurjant Singh as well as Ranjodh Singh, they duly identified the presence of the petitioner at the spot armed with pistol and he also fired shots towards the vehicle of the complainant party. The said two statements of the injured are sufficient to bring home the guilt of the petitioner and also identify his presence at the spot along with other accused persons.”

REASONING:

8. Since, the petitioner was granted interim protection subject to joining investigation, however, he did not join investigation till date. Thus, due to non-compliance of order dated 15.10.2024, the petitioner is not entitled to bail.
9. A perusal of the bail petition and the documents attached prima facie points towards the petitioner’s involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.
10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
11. **Petition dismissed.** Interim order dated 15.10.2024 and subsequent orders are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

15.02.2025
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.