

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

CRM No.M-13385 of 2016 (O&M)

Date of Decision: 10.05.2016

Jagtar Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. M.S. Uppal, Advocate for the petitioners.

Ms. Anmol Grewal, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioners in case FIR No.37 dated 31.03.2016, under Sections 353/332/379-B/365/186/148/149 IPC, registered at Police Station Passiana, District Patiala.

Briefly noticed, case of the prosecution is that on the evening of 31.03.2016, one SI Bhagat Ram (retired) made a telephonic call to Police Station Passiana that his daughter, Kuldeep Kaur is married to Jagtar Singh i.e. petitioner No.1 herein and her in-laws are resorting to beating her. Based on such information, the complainant i.e. ASI Sunil Kumar and one Constable Satvir Singh had proceeded on the spot.

Precise accusations against the present petitioners who are father and son are that the police officials were dragged inside the house, beaten up and their wallet, mobile phone and belt of ASI Sunil Kumar were snatched. Further allegations are that the police officials were put in a vehicle and then thrown outside the gate of Rajindra Hospital, Patiala.

The case set up on behalf of the petitioners is that it is a clear

case of false implication and rather the police officials concerned had reached the spot under the influence of liquor and rather had resorted to beating up Kuldeep Kaur i.e. wife of petitioner No.1 and daughter-in-law of petitioner No.2 and who in fact had suffered injuries in the occurrence.

Having heard counsel for the parties at length, this Court is not inclined to extend the concession of anticipatory bail to the petitioners.

Even though, the occurrence is stated to be of 31.03.2016, there is no explanation coming forth as to why the action of the police officials of having beaten up Kuldeep Kaur was not reported to the police authorities immediately. On the other hand, learned State counsel who is being instructed from ASI Amrik Singh has produced in Court the MLR of both the police officials i.e. ASI Sunil Kumar and Constable Satvir Singh which would show that they were medically examined immediately after the occurrence i.e. within a period of 2-3 hours and both have suffered injuries, though simple in nature, but lend credence and corroborate the complainant's version.

Keeping in view the conduct of the petitioners and having stopped the police officials in the discharge of their official duties and rather having assaulted them, the prayer made in the present petition is declined.

Petition is dismissed.

10.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**