

CRM-M-30322 of 2016

[1]

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

Sr. No. 101

CRM No.M-30322 of 2016

Date of decision: August 30, 2016

Mahant Ranjit Dass @ Jagjit Singh @ Jaggi

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

JASPAL SINGH, J.

Through the instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.147, dated July 14, 2016, under Sections 307, 435, 341, 323, 336, 506, 427, 148 & 149 IPC, registered at Police Station Dhuri, District Sangrur, during the pendency of the trial.

2. Instant FIR has been registered on the statement of Buta Singh-complainant to the effect that he took some land on lease from Nihal Dass Chela Mahant Narain Dass. On July 13, 2016 he along with Gurpreet Singh of his village went to prepare the aforesaid land for sowing paddy. The land was being levelled by his tractor bearing registration No.PB-13-A-6994 mark 'Swaraj'. His motorcycle bearing No.PB-13-AH-4852 make Hero was

CRM-M-30322 of 2016

[2]

also standing there. At about 10.00 p.m. petitioner Jagjit Singh @ Jaggi armed with Dang along with 6-7 other persons armed with rifle, 12 bore gun, cane, bottle and Dang encircled the complainant when he was sitting on the tractor. Petitioner raised a lalkara that he will teach a lesson for cultivating the land of Dera on lease and they will burn him along with his tractor and motorcycle. Meantime, Nachattar Kaur sprinkled the oil of cane she was carrying in her hands and Jasbir Kaur poured the oil of the bottle which she was carrying on the motorcycle. Whereafter, petitioner Jagjit Singh @ Jaggi burnt the tractor and the motorcycle. Complainant jumped from the tractor. Accused also gave injuries with Dangs and gun fire was also shot. On raising alarm of marditta marditta, accused ran away.

3. Learned counsel for the petitioner has contended that petitioner has been falsely implicated in the instant case. There is a dispute going on for the headship of Dera Nihal Singh and petitioner. Petitioner is the Head Mahant of Dera appointed by his Guru. Complainant party tried to forcibly take the possession of land. The injuries attributed to the petitioner are blunt and on the non-vital part of the body of the complainant. Thus, the injury being simple in nature and does not attract the provisions of Section 307 IPC. Custodial interrogation of the petitioner is not required. Case of the petitioner is similar to his co-accused Jarnail Singh, who has already been granted the concession of interim bail. Petitioner is ready to abide by all the terms and conditions imposed by this Court, in case, he is released on interim bail.

4. This court has given an anxious thought to the aforesaid submissions made by learned counsel for the petitioner and gone through

CRM-M-30322 of 2016

[3]

the record available.

5. Allegation against the petitioner is that he was armed with sotti and gave its blow on the shoulder of the complainant. Another allegation against the petitioner is that he set the tractor and motorcycle on fire. Moreover, three other cases bearing FIR No.129 of 2016, FIR No.44, dated April 01, 2015, and FIR No.96, dated May 16, 2014, registered at Police Station Sadar Duri pertaining to the property in question have also been registered, in which some of the accused are already facing criminal proceedings. Though, co-accused of petitioner namely Nachattar Kaur and Jasbir Kaur poured the oil on tractor and motorcycle, but it was petitioner Jagjit Singh @ Jaggi who set ablaze them. Allegations against the accused-applicant are serious. Therefore, active participation of petitioner in the crime is reflecting from the FIR. Even learned Additional Sessions Judge, Sangrur in his order dated August 08, 2016 has recorded that photographs placed on record depict that the act done by accused Mahant Ranjit Dass @ Jagjit Singh @ Jaggi. Thus, this court is of the considered view that petitioner does not deserve the concession of interim bail.

6. Finding no merit in the instant petition, same is dismissed.

August 30, 2016

Avin/Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No