

CRM-M-26760-2018
CRM-M-26774-2018

GAURAV SOROT
2018.07.31 16:09
-I-

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

1. **CRM-M-26760-2018**

Sukhdev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

2. **CRM-M-26774-2018**

Palwinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

Date of decision:30.07.2018

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioner in both cases.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by ASI Harbans Singh in both cases.

GURVINDER SINGH GILL, J. (ORAL)

This order shall dispose of above-mentioned two petitions
filed on behalf of petitioner-Sukhdev Singh and petitioner-Palwinder
Singh seeking anticipatory bail in case registered vide FIR No.35 dated
05.05.2018 under Sections 323, 324, 326, 148, 149 of Indian Penal Code,

1860, Police Station Tarsikka District Amritsar.

The FIR was lodged at the instance of Ajit Singh wherein it has been alleged that on the day of occurrence when he along with his brothers Sukhvinder Singh, Charanjeet and nephew Hardeep was standing near “chowk” then the accused Palwinder Singh, Sukhdev Singh, Harpreet Singh, Harjinder Singh armed with swords, Savinder Singh armed with '*Datar*', Banti armed with '*Gandasi*', Jobanpreet Singh armed with a '*Krich*' type of weapon, Kulwinder Kaur and Ranbir Singh empty handed came there. Ranbir Singh and Kulwinder Kaur raised '*Lalkara*' exhorting their companions to teach complainant a lesson on account of land dispute and upon which the accused caused injuries to the complainant with their respective weapons. Sukhdev is alleged to have given blow with his sword to Sukhwinder Singh hitting him on his left wrist. He is also alleged to have given a blow to Charanjeet Singh on left side of his face. Palwinder Singh is alleged to have given blow on the head of Hardeep Singh with his sword.

Notice of the petitions was issued to the State .

The petitioners had been granted interim bail and were directed to join investigation.

Having heard learned counsel for the petitioners and also the State counsel, I find that it is case of cross-versions wherein three persons on the side of accused had also sustained injuries. While the petitioners Palwinder Singh had sustained six injuries including one incised wound, Harjinder Singh sustained seven injuries including three incised wounds

and Savinder Singh sustained six injuries including two incised wounds. Two of the aforesaid incised wounds are on vital part i.e. their heads. The FIR somehow does not refer to any of the injuries caused to the accused party. It is yet to be determined as to which party is the aggressor.

It has been informed by learned State counsel on instructions from ASI Harbans Singh that the petitioners have since joined investigation.

Having regard to the facts and circumstances of the case especially bearing in mind that it is a case of cross-versions where some members of the accused party have also sustained incised wounds on their heads, in my opinion, it is a fit case for grant of anticipatory bail. The petitions, as such are accepted and interim directions issued vide order dated 27.06.2018 passed in both the petitions are made absolute subject to the condition that the petitioners would appear before the learned trial Court regularly and abide by the any other condition as may be imposed by the learned trial Court.

The petitions are accepted in the above mentioned terms.

30.07.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**