

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

**CRM-M-11636 of 2019
DECIDED ON: 14.03.2019**

HARVINDER SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Ms. GK Mann, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.100 dated 04.12.2018, registered under Sections 307, 323, 452, 506, 148 and 149 IPC, Police Station Khamano, District Fatehgarh Sahib.

As per prosecution, in the evening of 04.12.2018, petitioner along with co-accused Amarjit Singh both armed with swords; Kushwinder Singh armed with Kahola; Jaswinder Singh armed with iron rod; Davinder Singh, Gurwinder Singh both armed with dandas caused injuries to complainant-Gurnek Singh, his wife Paramjit Kaur and daughters Amandeep Kaur, Kamaljit Kaur and Sukhjinder Singh by trespassing his house.

Learned counsel contends that it is a cross-fight between the petitioner and complainant party. It is yet to be ascertained that who

was the aggressor. According to the compromise, complainant party had to remove tubewell from the land of the petitioner, instead it caused injuries to the petitioner's side. The petitioner has been attributed a sword blow on the chin and lip of Paramjit Singh, which is not corroborated by medical evidence. Three persons from the petitioner's side received injuries, out of which, one was declared grievous in nature, and one was declared dangerous to life. Co-accused of the petitioner namely Khushwinder Singh, Gurinder Singh and Davinder Singh have been found innocent by the police. Section 452 IPC has been deleted by the police.

Considering the seriousness of allegations against the petitioner, this Court is not inclined to grant anticipatory bail to him, inasmuch as, recovery of sword is yet to be effected from him. The petitioner co-jointly forming an unlawful assembly attacked the complainant party and caused injuries to the complainant, his wife and other family members.

Dismissed.

14.03.2019

sonika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No