

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

**CRM-M No.13144 of 2019
Date of decision: 03.04.2019**

Charanjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Rana, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J.

Prayer in this second petition is for grant of anticipatory bail to the petitioner in FIR No.48 dated 20.06.2018 registered under Sections 307, 341, 323, 427, 128 and 149 of the Indian Penal Code (in short 'IPC') at Police Station Sadar Ahmedgarh, District Sangrur.

On 24.08.2018, while dismissing the first petition i.e. CRM-M No.34857 of 2018 for grant of anticipatory bail to the petitioner, the following order was passed:-

“Prayer in this petition is for grant of anticipatory bail in FIR No.48 dated 20.06.2018 under Sections 307, 341, 323, 427, 128, 149 IPC, registered at Police Station Sadar Ahmedgarh, District Sangrur.

Learned counsel for the petitioner submits that the dispute is with regard to an agreement to sell. It is further submitted that as per the FIR, Sinderjit Singh, Charanjit Singh, Jashanpreet Singh, Jaskaran Singh and the present

petitioner have caused injuries on the head/vital part of body of brother of the complainant, namely Gobind Singh.

Learned State counsel, on instructions from ASI Gurpal Singh, has submitted that the injured/victim has received as many as 08 injuries, out of which 03 injuries were on the head. Learned State counsel has further referred to the MLR of Gobind Singh, in which the following injuries have been reflected: -

“1. 1 cm lacerated wound 1 horizontal in direction, on left temple. Fresh bleeding present. Advised surgical opinion.

2. Swelling 8 cm x 6 cm on left temple area. Advised surgical opinion.

3. Bleeding left ear. Advised surgical opinion.

4. Bruise, bluish in colour 3 cm x 4 cm on front of right wrist. Advised X-ray.

5. Lacerated wound, horizontal linear on front of right knee. Advised X-ray.

6. Bruise 8 cm x 4 cm red colour, in front of left thigh, oblique in direction. X-ray advised.

7. Two bruises red in colour 6 cm x 3 cm x 2 cm x 1 cm on outer and front of left thigh. Advised X-ray.

8. Swelling and pain left shoulder. Advised X-ray.”

Learned State counsel has further submitted that two co-accused of the petitioner namely Satnam Singh and Sinderjit Singh have been arrested and the petitioner is also attributed an injury on the head of the complainant.

After hearing learned counsel for the parties, considering the gravity of allegations and nature of injuries sustained by the complainant, I find no ground to grant anticipatory bail to the petitioner.

Petition is dismissed.”

Thereafter, the petitioner filed a Special Leave Petition (Criminal) No.7722 of 2019 before the Hon'ble Supreme Court, which

was withdrawn with liberty to approach the High Court again.

Counsel for the petitioner has submitted that the new ground for filing the second petition for grant of anticipatory bail to the petitioner is that one of the co-accused Sinderjit Singh has been granted the concession of anticipatory bail.

Counsel for the petitioner has further submitted that the petitioner is also ready to join the investigation and face the proceedings, in accordance with law. It is further submitted that there was a dispute regarding the land purchased by Sukhwinder Kaur wife of the co-accused and the petitioner was a witness to the said sale deed and he has been falsely implicated in this case.

In reply, counsel for the State has stated that the case of the petitioner is distinguishable from the co-accused Sinderjit Singh, who has been granted the concession of anticipatory bail.

Counsel for the State with reference to the injuries sustained by the complainant has submitted that the petitioner is attributed injury on the head of injured/complainant.

Counsel for the State has also placed on record the opinion of the Department of ENT, Dayanand Medical College and Hospital, Ludhiana where the injured remained under treatment for a considerably long time and submit that as per the opinion of the doctor, the complainant has lost hearing in his ear on account of the injuries sustained by him in the incident.

Counsel for the State has further argued that a perusal of the FIR would show that 03 injuries sustained by the injured – Gobind Singh are on the vital organ and he was given merciless beatings by the

accused person resulting into sustaining of 08 injuries, as noticed in the earlier order. It is further stated that the FIR was registered on 20.06.2018 and despite a lapse of period of 10 months, the petitioner is avoiding his arrest and the police is not in a position to conclude the investigation.

After hearing the counsel for the parties, I find that the case of the petitioner is distinguishable from the co-accused – Sinderjit Singh. The anticipatory bail of the petitioner has already been dismissed by passing a detailed order and despite that the petitioner has not surrendered before the trial Court from the last 10 months and as per the opinion given by Dayanand Medical College and Hospital, Ludhiana, the complainant has even suffered loss of hearing on account of the injuries sustained by him, I find no ground to entertain the second anticipatory bail petition and the same is accordingly dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

03.04.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No