

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-14318-2019 (O&M)
Date of Decision:-10.5.2019

Paramjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Daljit Singh, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.117 dated 26.10.2018 at Police Station Verowal, District Tarn Taran under Sections 452, 324, 325, 148, 149, 506 and 427 of Indian Penal Code, 1860.

The FIR was registered at the instance of Harjit Singh, wherein it has been alleged that on 15.10.2018 upon hearing noise he came out of his house where he saw that Kanwaljit Singh disposing of dirty water in the street. When the complainant objected to the same, said Kanwaljit Singh raised a '*lalkara*', whereupon Kanwaljit Singh Fauji, Harpreet Singh @ Tikka @ Bhatti, Paramjit Singh, Varinderpal Singh, Sarabjit Kaur and Palwinder Kaur entered the house of the complainant. It is alleged that Harpreet Singh @ Tikka @ Bhatti gave a blow with a brick hitting the nose of the complainant and Paramjit Singh gave a blow with iron rod hitting the

lips of the complainant. It is also alleged that Fauji's brother-in-law namely Varinderpal Singh gave a blow with '*dattar*' to complainant's daughter Sukhmanpreet Kaur on her chin and Sarabjit Kaur gave a blow with rod to complainant's wife on her back and Palwinder Kaur wife of Kanwaljit Singh Fauji gave a blow with '*stick*' to complainant's daughter-in-law Rajwinder Kaur on her arm.

The learned counsel for the petitioner has submitted that a false FIR has been lodged and that the falsity of the FIR would be evident from the fact that although various family members of the complainant are stated to have received injuries namely Sukhmanpreet Kaur and complainant's wife and complainant's daughter-in-law Rajwinder Kaur but there is no evidence to substantiate the said allegations. The learned counsel has further submitted that, in any case, the injury attributed to the petitioner is a 'simple injury'. It has further been submitted that the complainant has suppressed genesis of occurrence inasmuch as Varinderpal Singh of the accused party had also sustained injury, which has nowhere been mentioned in the FIR.

Opposing the petition, the learned State counsel has submitted that although the injury attributed to the petitioner is a 'simple injury' but since the co-accused had caused a 'grievous injury', no case for grant of bail is made out. The learned counsel has, however, submitted that although MLR of Varinderpal Singh accused is there on the police file, but the same reflects that he complained of pain and that any injury if caused to the Varinderpsl Singh was apparently caused in self defence.

I have considered rival submissions addressed before this Court. Bearing in mind the fact that the petitioner is attributed a 'simple

injury' only and it is not a case that a large number of injuries have been caused to the complainant, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and it is ordered that the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.5.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No