

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

CRM-M-14689-2019 (O&M)
Date of Decision:- 24.7.2019

Gurlal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Gupta, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab,
assisted by ASI Satpal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. By way of filing this petition, the petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.112, dated 15.7.2018, Police Station Chattiwind, District Amritsar, under Sections 452, 325, 336, 148, 149 IPC and under Section 25 of the Arms Act.
2. The FIR was lodged at the instance of Rohitpreet Singh wherein it has been alleged that on 25.6.2018, when he was present at his house

along with other members of his family and was having food, then Gurlal Singh and his wife Jyoti came to their house along with Nirmal Singh, Tarsem Singh and Monty w/o Sukhwinder Singh. It is alleged that Monty hurled abuses to complainant's father and Gurlal Singh pushed his father, as a result of which he fell down. When the complainant came forward to intervene, Gurlal Singh gave a blow with butt of the pistol hitting the forehead of the complainant. It is alleged that Tarsem @ Aaloo also gave a blow with butt of pistol to the complainant. It is alleged that Gurlal Singh fired from his pistol at his father, hitting the wall. Thereafter Tarsem Singh is alleged to have pointed the pistol on the chest of the complainant's mother and when his mother raised her hand, the butt of the pistol hit her on left elbow.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the falsity would be evident from the fact that the FIR was lodged 20 days after the occurrence and in fact was lodged since the complainant's relative Jyoti had married the petitioner against the wishes of her family.
4. Opposing the petition, learned State counsel has submitted that since the injuries sustained on the forehead of the complainant has been declared to be 'grievous injury', no case for grant of anticipatory bail is made out. It has further been submitted that in fact the parties were earlier trying to effect compromise as a result of which there was delay in lodging the FIR. It has however been informed that the petitioner has joined investigation.

5. Having considered rival submissions addressed before this Court and bearing in mind the fact that the alleged 'grievous injury' is an injury stated to have been given with a blunt weapon attracting Section 325 IPC and also that the FIR was lodged belatedly after about 20 days of the occurrence, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 1.4.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. This petition stands accepted accordingly.

July 24, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No