

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14372-2019

Date of decision: 08.04.2019

Kulwant Singh @ Kanta

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Sahil Gambhir, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.9 dated 19.01.2019 under Sections 452, 323, 379-B, 427, 506, 148, 149 IPC, registered at Police Station Goindwal Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that as per allegations in the FIR, on 13.01.2019, at about 08.30 pm in the night, the complainant and her son Arshpreet Singh were coming back home, when one Gumma Singh and Kulwant Singh @ Kanta (present petitioner) along with his companions grappled his son. Thereafter, son of the complainant felt sorry but they did not stop beating him and he came back home. It is further stated that Kulwant Singh @ Kanta and Gumma Singh along with his companions entered house of the

complainant forcibly and started beating the complainant and her son, as they were under influence of liquor. On hearing the noise, neighbours gathered there and sent them back. Again at about 11.30 pm in the night, petitioner Kulwant Singh @ Kanta armed with brick, Gurdev Singh @ Putti armed with baseball, Babbi armed with a wooden stick, Kuldeep Singh @ Keepa armed with a dang (a long wooden stick) and Gurjant Singh armed with baseball and 10/15 unknown persons again entered into house of the complainant. At that time, his son Karanpreet Singh was making a video from his mobile phone and the petitioner snatched his mobile phone. Thereafter, the petitioner and Gumma Singh raised a lalkara to teach a lesson to the entire family, upon which Gurjant Singh gave baseball blow on the head of her son Arshpreet Singh, who was standing in front of the complainant and hit on his head. Gurdev Singh gave a baseball blow on his son, which hit on right shoulder and his son fell down. Thereafter, all the accused persons caused injuries to the complainant and others and ran away from the spot.

Learned counsel for the petitioner further submits that on account of previous enmity during the Gram Panchayat elections, this false FIR has been registered against the petitioner and there is a delay of 06 days in registration of the same.

Learned State counsel, on instructions from ASI Balbir Chand, has however submitted that the accused persons are found to be habitual offenders and 04 persons have already been arrested and in their disclosure statement, it has clearly come that the petitioner was the mastermind of entire episode, in which, on two occasions, the accused persons caused injuries to son of the complainant and then forcibly entering into house of the complainant, they

caused injuries to the complainant and her another son as well.

Learned counsel for the complainant has also raised the similar arguments and submits that all the accused persons were under the influence of liquor and after the first incident, son of the complainant came back home, after two hours, they forcibly entered into house of the complainant and caused injuries to the complainant and her sons.

After hearing learned counsel for the parties, considering the serious allegations against the petitioner, I find no ground to grant him anticipatory bail.

Petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

08.04.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No