

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-31477 of 2019 in/and
CRM-M-27085 of 2019
Date of Decision: 30.10.2019

Jeet Singh @ Ajit Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. J. S. Khattar, Advocate, for
Mr. Deepak Sharma, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 16.10.2019, the order passed by the learned Additional Sessions Judge, Ludhiana, on June 11, 2019, admitting five co-accused of the petitioner (namely Amandeep, Deepak Kumar alias Laddi, Suraj, Raja Ram and Manpreet Singh), to pre-arrest bail, has been produced by learned counsel for the petitioner, wherein it is seen that though the petitioner Jeet Singh @ Ajit Singh was not a petitioner in that case, his role has been enumerated in detail, with it eventually stated that with simple injuries having been attributed to the five petitioners before that court in that case, they could be released on interim anticipatory bail.

Thereafter, that order was made absolute on July 03, 2019, with the

police official who was present before that court having stated that the custodial interrogation of those petitioners (co-accused of the present petitioner), was not required.

The petition under Section 438 of the Cr.P.C. filed by the present petitioner before the learned Additional Sessions Judge, had been refused on the same date, i.e. June 11, 2019, holding that whereas the co-petitioners in that petition were attributed the role of pelting stones at a car, their custodial interrogation would not be seem to be warranted, but as regards the present petitioner, i.e. Jeet Singh @ Ajit Singh, with five other FIRs registered against him, and an application having been received on May 30, 2019 from the complainant, that even after the registration of the FIR the present petitioner was threatening to kill him and his family members for registering such FIR, he did not deserve the concession of anticipatory bail.

It is to be specifically noticed, that as per the FIR, the “co-accused” of the petitioner who were admitted to bail by the learned Additional Sessions Judge, vide the same order by which the petitioners' bail application was dismissed, were four ladies against whom, undoubtedly, the allegations were that they had broken the glasses of two cars standing outside the house.

In the order admitting the other co-accused of the present petitioner, i.e. Amandeep, Deepak Kumar alias Laddi, Suraj, Raja Ram and Manpreet Singh, to bail, vide a different order, also dated June 11, 2019, it has been stated that there are two cross versions regarding one occurrence, in which injuries are claimed to have been sustained by both sides, and at that stage custodial detention of those applicants was not warranted (with that order made absolute, as noticed earlier, upon a police official stating before that court that the custodial interrogation of

these accused persons was not required).

Even so, looking at the role attributed to the petitioner in that occurrence, as also his antecedents, even though learned counsel for the petitioner submits that he has been acquitted in all the cases in which he has been named, I do not see any reason to entertain this petition, with learned State counsel also having submitted after a perusal of the police file, that the cow whose leg is alleged to have been broken by the petitioner, may have died due to septicemia, as per the post mortem examination conducted on the body of the cow, the other allegations against the petitioner being that he had beaten up the mother of the complainant, she having contested against him in the election of the Panchayat and having won that election.

Consequently, without making any comment on the actual merits of the case for or against the petitioner, which would naturally be a matter of investigation, and trial if it comes to that stage, the present petition, seeking anticipatory bail, is dismissed.

It is further to be stated that if the petitioner is arrested and thereafter he files an application in terms of the provisions of Section 439 of the Cr.P.C., any such petition would be considered wholly on its own merits and decided accordingly.

October 30, 2019
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes