

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

CRM-M-27126-2019 (O&M)
Date of Decision:-17.10.2019

Ranjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Lajwant Singh Virk, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.32 dated 31.5.2019 at Police Station Garhdiwal, District Hoshiarpur under Section 323, 354-B, 511 and 365 of Indian Penal Code.
2. Status report by way of affidavit of Sh. Gupreet Singh, PPS, Deputy Superintendent of Police, Sub-Division Tanda, District Hoshiarpur has been filed by learned State counsel today in Court, which is taken on record.
3. The FIR was registered at the instance of Sahad Rani, wherein it has been alleged that on 26.5.2019, when she alongwith her parents was present near 'Peera Di Jagha', Ranjit Singh @ Raja was also present there and who was talking loudly over the phone and was hurling abuses. When the

complainant's father objected to the same on the ground that the place was a sacred place, said Ranjit Singh @ Raja got angry and hurled abuses to them also. When the complainant's father objected, then said Ranjit Singh @ Raja picked up a stick from the ground and started beating her father. When the complainant tried to rescue her father, said Ranjit Singh @ Raja hit her as well on her head with the stick and thereafter also molested her and tore her shirt. The accused is alleged to have given another blow with the stick on the right hand of the complainant. Later, when complainant's mother tried to rescue them, then said Ranjit Singh @ Raja even caused injuries to her mother. The complainant and her parents were later rescued by Sarabjit Singh, who came at the spot. It is further alleged that later i.e. on 27.5.2019, when complainant's father went 'Peera Di Jagha' at about 4:30 A.M. to render services, he did not return back home and that they strongly suspected that her father had fled away being scared of Ranjit Singh @ Raja.

4. The learned counsel for the petitioner has submitted that the FIR has been lodged by levelling concocted allegations and that infact it is a case of cross-version, where the complainant party had caused injuries to the accused and other members of his family and infact petitioner's wife namely Balwinder Kaur had sustained three injuries including an incised wound on her right forearm regarding which a DDR was also lodged on 31.5.2019 itself.
5. Opposing the petition, the learned State counsel has submitted that since complainant's father is still missing and there are specific allegations against the petitioner, no case for grant of bail is made out. It has further been submitted that although the cross-version had been recorded at the instance of petitioner's wife Balwinder Kaur, but upon inquiry, the same was found to

be false. It has, however, been informed that the petitioner has since joined investigation.

6. Having regard to the facts and circumstances of the case and while noticing that the genesis of occurrence seems to have been suppressed inasmuch there is no reference to the injuries sustained by petitioner's wife and while also bearing in mind that the petitioner has already joined investigation, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.6.2019 are hereby made absolute subject to the condition that the petitioner shall join 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.

17.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No