

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-35913-2019 (O&M)

Date of Decision:13.09.2019

Harpreet Singh @ Happy

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MS. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. J.P. Ratra, D.A.G. Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in case FIR No.70 dated 11.05.2019 registered under Sections 308, 323, 447, 148, 149 IPC, 1860 (Lateron added offence u/s 307 IPC) at Police Station Nihal Singh Wala District Moga.

2. As per the allegations in the FIR registered at the instance of Bikkar Singh, his brother Inder Singh had purchased two acres of land and he wanted to irrigate his land through the land of the complainant. It is further stated that in that process a few days ago, the accused persons tried to take forcible possession of 16 marla land with the help of the tractor by changing the boundry line.

3. On 10.05.2019, Baljeet Singh @ Pappu, Navdeep Singh, Harpreet Singh @ Happy (petitioner) and Randhir Singh @ Dhira alongwith one Nirmal Singh came on a tractor and tried to carved out a 'Khaal' forcibly when son of the complainant Sukhveer Singh Veerpal Singh restrained them in doing the wrongful act, Navdeep Singh raised a 'Lalkara' upon which the

petitioner Harpreet Singh @ Happy, Randhir Singh @ Dheera and Nirmal Singh caught hold of Sukhveer Singh from his arms and legs and threw him in front of the tractor and Navdeep Singh who was driving the tractor run over him by the front and rear-wheel of the tractor which cross over the chest and stomach of his son.

4. Learned counsel for the petitioner submits that in the investigation, the driver of the tractor was found innocent and as per the medicolegal report of Dayanand Medical College, Ludhiana, it was a case of road side accident.

5. In reply, learned State counsel assisted by learned counsel for the complainant has opposed the prayer on the ground that similar anticipatory bail application of co-accused namely Harvir Singh @ Dhira stands dismissed as withdrawn vide order dated 10.07.2019 passed in CRM-M-27344-2019.

6. Learned counsel for the complainant has stated that as per the discharge summary of the Hospital, there are bilateral rib fracture and other injuries which correspond the injuries attributed in the FIR.

7. After hearing learned counsel for the parties and considering the serious allegations against the petitioner, the medical record and also in view of the fact that the anticipatory bail application of the co-accused stand dismissed, I find no ground to grant anticipatory bail to the petitioner.

8. Accordingly, this petitions is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

13.09.2019
rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No