

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

**CRM-M-55649-2018  
Date of decision: 09.01.2019**

**Daljinder Singh and another**

**...Petitioners**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vipin Mahajan, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioners pray for grant of anticipatory bail in FIR No. 85 dated 09.11.2018, under Sections 452, 323, 427, 148, 149 (Section 325 IPC added later on), registered at Police Station Sekhwan, District Gurdaspur, Punjab.

In brief, the case of the prosecution is that complainant Balwinder Singh got recorded his statement that he had friendship with Daljinder Singh (petitioner No. 1) as he was studying with him and the complainant was also having friendship with Pargat Masih (petitioner No. 2), who is a Plumber by profession, however, for some days, the relation between them was not good and they were threatening the complainant to teach him a lesson. On 04.11.2018, at about 10.30 PM, both the petitioners and ones Sukha and Munny, all armed with *Datar*, along with some other unidentified persons, entered into the house of the complainant by scaling the wall. At that time, complainant was talking to his wife sitting in the courtyard and there was proper light. Thereafter,

accused Sukha exhorted the other accused persons to catch hold of the complainant and to teach him a lesson, on which children of the complainant rushed out of the room out of fear. Thereafter, Daljinder Singh gave two *Datar* blows to the complainant which hit on the left side of the head and index finger of the right hand. Then, Sukha gave *Datar* blow from its reverse side which hit on the left biceps of the complainant. Thereafter, Pargat Masih gave another *Datar* blow from its reverse side which hit on left leg below knee. The complainant raised alarm and went on to the rooftop of his house but the assailants also came there and one unidentified person pushed the complainant and he fell down on the roof of the house. Then Munny gave *Datar* blow from its reverse side which hit on the right leg of the complainant below knee and unidentified assailants also gave *Datar* blows from its reverse side to the complainant which hit on the below left hip joint, right side of the shoulder and on the right side of the back of complainant. On raising the alarm by the complainant and his wife, Joginder Pal, brother of complainant, reached to the house of the complainant, on which, Daljinder Singh came down from the rooftop and gave *Datar* blow to Joginder Pal also which hit on his right wrist and right hand. Accused Pargat Masih also gave *Datar* blow from its reverse side to Joginder Pal which hit on his stomach. Thereafter, when the neighbours gathered at the house of the complainant, all the accused persons fled away from there.

Learned counsel for the petitioners submitted that petitioner No. 1 is attributed a simple injury on the head of the complainant, whereas petitioner No. 2 is attributed a simple injury below the knee of the left leg of complainant.

Learned counsel for the petitioners further submitted that there

is a delay of five days in registration of the FIR in question and co-accused of the petitioners, namely Manpreet Singh @ Manny and Sukhwinder Singh @ Sukha, have already been granted concession of interim anticipatory bail by this Court.

Learned counsel for the State, on instructions from ASI Ramesh Kumar, has, however, opposed the grant of bail to the petitioners and submitted that injuries, shown in the MLR, are by the blunt weapon.

After hearing learned counsel for the parties, I find no ground to grant anticipatory bail so far as the case of petitioner No. 1 Daljinder Singh is concerned as he is attributed an injury on the left side of the head of complainant with *Datar*.

Therefore, this petition stands dismissed qua petitioner No. 1 Daljinder Singh.

However, petition stands allowed qua petitioner No. 2, who is attributed an injury on the leg of the complainant, and he is directed to appear before the Investigating Officer within a period of one week from today and join investigation. On doing so, petitioner No. 2 shall be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

**January 09, 2019**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*