

201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-12288 of 2020 (O&M)
Date of Decision:29.07.2020

Balbir Singh	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-12086 of 2020 (O&M)
Charanjit Singh @ Gajju	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-12088 of 2020 (O&M)
Jaswant Singh @ Sonu	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-13225 of 2020 (O&M)
Paramjit Singh @ Pamma	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-14957 of 2020 (O&M)
Rattan Singh @ Rattu	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-13692 of 2020 (O&M)
Mithu @ Kulbir Singh	.....	Petitioner
Versus		
State of Punjab	.....	Respondent
AND		
		CRM-M-15066 of 2020 (O&M)

Jaspal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

AND

CRM-M-11850 of 2020 (O&M)

Mewa Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

AND

CRM-M-11352 of 2020 (O&M)

Parmatma Singh @ Bholu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ruhani Chadha, Advocate
for the petitioner(s).

Mr. SPS Tinna, Addl.AG., Punjab.

LISA GILL, J(Oral).

These matters are being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioners seek the concession of anticipatory bail in FIR No.05 dated 05.01.2020, under Sections 307, 186, 332, 353, 224, 225, 427, 148, 149 IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala.

It is submitted that all the petitioners have been falsely implicated in this case. It is vehemently argued that a bare reading of the FIR and a perusal of the Medico Legal Report (MLR) of HC Lakhwinder Singh and ASI Mangal Singh, attached as Annexure P-5 with CRM-M-12086 of

2020, would reveal the falsity of the allegations against the petitioners. HC Lakhwinder Singh is shown to have suffered four injuries, three of them being stitched wounds and one small lacerated wound on his right middle finger. ASI Mangal Singh is reflected to have suffered four injuries, two of them being stitched wounds and the other two are mere abrasions. Ld. Counsel for the petitioner, argues that there is categorical mention in the MLR's that the said injured have not been examined earlier. Therefore, possibility of the injuries being sustained at an earlier point of time, cannot be ruled out. In respect to petitioners Parmatma Singh @ Bholu and Mewa Singh, it is submitted that they are not attributed with any active role in the incident neither any recovery has been effected from them. They are alleged to have run away from the spot. Insofar as the petitioner-Balbir Singh is concerned, it is mentioned that he is sought to be falsely implicated merely because he stands convicted in two matters under the NDPS Act way back in the year 2002 and 2011. Specific arguments qua the false implication of all the petitioners have been raised. It is further submitted that all the petitioners have joined investigation and they undertake to extend their full cooperation in the investigation of the matter and not abuse the concession of anticipatory bail, if afforded to them. It is thus prayed that all these petitions be allowed.

Learned counsel for the State, on instructions from ASI Gurdeep Singh, verifies that all the petitioners have joined investigation and their custodial interrogation is not required.

There are no allegations on behalf of the State that the petitioners are likely to abscond or they are likely to dissuade the witnesses from deposing true facts before the trial Court, if granted the concession of anticipatory bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, all these petitions are allowed. Consequently, order dated 13.05.2020 passed in CRM-M-12288 of 2020, order dated 27.05.2020 passed in CRM-M-12086 of 2020, CRM-M-12088 of 2020, order dated 29.05.2020 passed in CRM-M-13225 of 2020, order dated 12.06.2020 passed in CRM-M-14957 of 2020, order dated 02.06.2020 passed in CRM-M-13692 of 2020, order dated 15.06.2020 passed in CRM-M-15066 of 2020, order dated 20.03.2020 passed in CRM-M-11850 of 2020 and order dated 18.03.2020, passed in CRM-M-11352 of 2020, are made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

29.07.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.