

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17040-2020 (O&M)
Date of decision: 10.07.2020

Bhupinder Singh @ Bhinda and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Mamrat, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of anticipatory bail in FIR No.42 dated 05.07.2019 under Sections 295-A, 355, 341, 323, 506, 34 IPC, registered at Police Station Morinda, District Rupnagar; earlier one, after arguing for some time and finding that this Court is not convinced, was dismissed as withdrawn on 19.09.2019.

It is worth noticing here that the FIR pertains to July, 2019 and till date, the petitioners have not surrendered before the trial Court.

As per allegations in the FIR, registered at the instance of Jaswant Kaur, who is aged about 85 years, she has two sons namely Harpal Singh and Gurcharan Singh and she is residing with her son Gurcharan Singh. Harpal Singh also resides in a house and has illegally occupied the share of Gurcharan Singh,

who is in Canada and he has left his maternal aunt Charanjeet Kaur with the complainant for taking care of her. On 29.06.2019, she along with Charanjit Kaur had gone to the agricultural land on a wheel chair and found that Harpal Singh is illegally irrigating the land and he along with the petitioners was present at the spot and when she asked them, the accused persons raised lalkara and gave kahi blow to Charanjeet Kaur. When the complainant tried to save her, they also injured the wrist of her left hand and Harpal Singh also gave kick and punch blows to both the old ladies and had thrown the complainant away from the wheel chair by forcibly pulling it. Even thereafter, the accused persons caused injuries with the reverse side of the spade. When they shouted, the neighbours came and saved them.

When the first petition was heard, all the arguments were considered at length. The petitioners want to re-argue the case by alleging that there was some lease agreement in favour of Harpal Singh and therefore, he was in possession of land.

Notice of motion.

On asking of the Court, Mr. Sidakmeet Sandhu, AAG, Punjab accepts notice on behalf of the respondent-State while Mr. Rajesh Bhateja, Advocate has appeared on behalf of the complainant.

Learned State counsel, assisted by learned counsel for the complainant, submits that the main accused has caused injuries to his real mother, aged about 85 years as well as maternal aunt, who is also an old lady, just out of greed to oust his mother from her property.

After hearing learned counsel for the parties, I find no new ground

to entertain this second petition for grant of anticipatory bail.

A period of more than one year has already lapsed and the petitioners are absconding from the process of law and are not allowing the police to complete the investigation.

Finding no merit in the present petition, same is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

10.07.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No