

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

Date of decision : 15.07.2020

1.

CRM-M-18935-2020 (O&M)

Gurjit Singh

... Petitioner

Versus

State of Punjab

... Respondents

2.

CRM-M-17659-2020 (O&M)

Jaswant Singh

... Petitioner

Versus

State of Punjab

... Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Robin Dutt, Advocate
for the petitioner(s).

Mr. Gaurav Dhuriwala, Sr. DAG, Punjab.

Mr. Ajay Sharma, Advocate
for the complainant in CRM-M-17659-2020.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This common order shall dispose of two petitions i.e. **CRM-M-18935-2020** titled as **“Gurjit Singh V/s State of Punjab”** and **CRM-M-17659-2020** titled as **“Jaswant Singh V/s State of Punjab”**, both the petitions have arisen out of the same FIR.

Both the petitions have been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.69 dated 03.05.2020 under Sections 307, 364, 392, 323, 324, 148, 149 of the Indian Penal Code, 1860 (Section 325 IPC added later on), registered at Police Station Kharar, District SAS Nagar.

CRM-M Nos.18935 & 17659 of 2020

It has been contended by learned counsel for the petitioners that the petitioners were kept in De-addiction Centre in inhumane conditions. The De-addiction centre had a capacity of treating 10 people, however, 20 people were admitted there, which led to a protest by the admitted persons. During the protest, the persons admitted in the De-addiction centre including the petitioners attacked the complainant. In the FIR, simple injuries have been attributed to both the petitioners.

He has further contended that Mohit Kumar Pandey, one of the co-accused, has already been granted interim anticipatory bail by this Court in CRM-M No.16328 of 2020.

Mr. Gaurav Dhuriwala, Sr. DAG, Punjab, has put in appearance on behalf of the State through video conferencing and has contended that the complainant was attacked by the petitioners with a sword and an iron rod. It has further been contended by learned State counsel that a video was shot by one of the co-accused, and was eventually handed over to the reporter of APS Channel, who posted the same on his Facebook page. The said video has been shared by the State counsel today with this Court via WhatsApp. He has further contended that both the petitioners are visible in the video and the badly injured complainant is also visible in the video.

He further contends that the said video was inadvertently not brought to the notice of this Court in the petition filed by Mohit Kumar Pandey.

In view of the above, without commenting on the merits of the case, I do not deem this to be a fit case for grant of anticipatory bail to the petitioners. Hence, both the petitions are dismissed.

15.07.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

Whether speaking/reasoned Yes/ No

Whether Reportable Yes/ No