

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25566-2020 (O&M)
Date of Decision:-14.9.2020

Sukhwinder Singh @ Babbu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gursimran Singh Madaan, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Avtar Singh.

Mr. Sumeetpal Singh Khaira, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.113, dated 27.06.2020 at Police Station Khamano, District Fatehgarh Sahib, Punjab under Sections 307, 324, 341, 506 and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Ranjit Singh @ Jeet, wherein it has been alleged that his father, by way of oral partition, had distributed the land amongst the complainant and his brother Sukhwinder Singh @ Babbu. While complainant's brother Sukhwinder Singh @ Babbu had been given 4½ killas of land, the complainant was given another piece of 4½ killas of land but

water connection was in the name of complainant. It is alleged that on 26.6.2020, when the complainant was proceeding for tilling his fields, his brother Sukhwinder Singh @ Babbu told him that the complainant would not use the motor as the persons, to whom said Sukhwinder Singh @ Babbu had leased out the land, were to irrigate their land. It is alleged that the complainant and his brother Sukhwinder Singh @ Babbu entered into a scuffle and upon seeing the same, the complainant's wife and his son and also the son of Sukhwinder Singh @ Babbu namely Jaskaran reached at the spot. It is alleged that a fight erupted at that point of time and while Jaskaran held complainant's arms from behind, Sukhwinder Singh @ Babbu gave a blow with '*kahi*' on the head of complainant as a result of which he fell down and blood started oozing out of the body.

3. The learned counsel for the petitioner has submitted that a false FIR has been lodged against the petitioner and that infact no case under Section 307 IPC would be made out as it is a case where the scuffle had taken place in the spur_of the moment and injury, if any, came to be caused accidentally and was never intended to be caused.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that since it is a case where the petitioner inflicted an injury with a '*kahi*' on the head of complainant, no case for grant of anticipatory bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that it is a case of causing of an injury with a '*kahi*' on the head of complainant regarding which the complainant has specifically stated in the FIR and which stands substantiated from medical record, no

special case for grant of anticipatory bail is made out. The petition is sans merit and is hereby dismissed.

14.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No