

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

CRM-M-45434-2019

Date of decision:-4.3.2020

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr.Vikas Gupta, Advocate  
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

Mr.Amit Arora, Advocate  
for the complainant.

\*\*\*\*

**H.S. MADAAN, J.**

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Ranjit Singh, an accused in FIR No.124 dated 2.8.2019 for the offences under Sections 379-B, 326, 447, 323, 324, 325, 506, 148 and 149 IPC, registered with Police Station Sadar, Patti, District Tarn Taran.

Briefly stated, the facts of the case as per the prosecution story are that complainant Bhag Singh had filed a private complaint against Ranjit Singh, Sukh, Jasbir Singh, Gurinder Singh and Rana Singh for the offences under Sections 326, 379-B, 447, 323, 324, 325, 506, 148 and 149 IPC before Sub Divisional Judicial Magistrate, Patti under Section 156(3) Cr.P.C., *inter alia*, contending that on 22.6.2019 at about

9:50 a.m. when complainant had gone to the land taken by him on lease for cultivation situated at village Bhangala, then all the accused had caused simple as well as grievous injuries to him by use of blunt and sharp edged weapons and had snatched his tractor Swaraj 963; the matter was reported to the police but no action was taken.

Report from Police Station Sadar, Patti was called and it was intimated that on 25.6.2019 and 30.6.2019 reports were entered regarding the information given but matter was being investigated and it seems to be a false case. However, considering the facts and circumstances of the case MLR of the injured and x-ray report, learned Magistrate directed SHO Police Station Sadar, Patti to register FIR. It was so done accordingly.

On registration of formal FIR, apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Additional Sessions Judge, Tarn Taran vide order dated 17.9.2019. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State, which put in appearance through counsel. The complainant has also appeared through counsel.

I have heard learned counsel for the parties besides going through the records.

Learned counsel for the petitioner has contended that it is a case of version and cross version. The accused side had also suffered injuries. The petitioner has since released on interim bail and has joined

the investigation. Therefore, interim bail granted to him be made absolute.

Whereas the prayer is being vehemently opposed by learned counsel for the complainant and learned State counsel contending that the petitioner and his co-accused are very influential persons inasmuch despite a grievous injury observed on the person of Bhag Singh attributed to the petitioner and other injuries and criminal acts attributed to him and his co-accused, the police had not recorded the FIR initially, with the result, the complainant has compelled to file a private complaint before Sub Divisional Judicial Magistrate, Patti and when report from SHO Police Station Sadar, Patti was called, he had sent a wrong report that the matter appeared to be of suspicious nature and it was on direction issued by Sub Divisional Judicial Magistrate, Patti the FIR had been registered. The criminal acts attributed to the petitioner are of grave and serious nature warranting his custody interrogation for complete and effective investigation. Therefore, the petition be dismissed.

After hearing the rival contentions of learned counsel for the parties, I find that allegations against the petitioner are indeed serious in nature of having caused grievous injury to the complainant on his left leg by means of Kirpan. Merely because there is counter version of the incident and there has been a dispute between the parties with regard to payment of money by complainant to the accused party that does not justify the petitioner taking a law into his own hands and causing grievous injury to the complainant on his person.

In case of *State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268*, Hon'ble Apex Court had

observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful informations.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

4.3.2020  
Brij

**(H.S.MADAAN)**  
**JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**