

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

CRM-M-3319-2021

Date of Decision: 03.03.2021

Kuljeet Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Ms. Dimple Jain, Astt. A.G., Haryana.

Mr. Jagjit Singh Gill, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

This is a petition for anticipatory bail in case of FIR No. 432 dated 16.12.2020, under Sections 147, 148, 149, 294, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Mandi Dabwali, District Sirsa.

The complainant made a statement for taking action against Ranjit Singh, Sanjay Gugnani, Kuljeet, Virender Narang alias Raju, Parveen Kumar and Lovely. As per the allegations, there was a dispute with regard to freight of the goods being transported during the COVID period. The allegations are that the freight was hiked and due to non-payment, the goods were not being released by the transporters. It was stated in the FIR that certain armed persons including the petitioner attacked the office of

the complainant but as the door was closed they could not enter. It was claimed that there is CCTV footage of the incident.

On 25th January, 2021 learned counsel for the State sought time to file an affidavit as to whether the petitioner is visible in the video clipping produced by the Public Prosecutor.

Affidavit dated 1st February, 2021 was filed. Para 6 of the affidavit is as quoted below:-

“6. That video clip produced by the petitioner is not clear. Some persons are visible in it. Out of them, one fat person who was wearing the lower/pent of red colour and having the gun in his hand has been identified by the complainant as Ranjit Singh son of Joginder Singh, resident of Malout. No gun or other weapon is visible in the hands of other persons. However, after watching the video clip in question, the complainant identified one tall person as Kuljeet Singh son of Joginder Singh (present petitioner) and stated that he is armed with gun, but actually no gun is visible in the hands of this tall person. Complainant also stated that Virender Narang alias Raju son of Jagdish Raj armed with gun, Parveen Kumar armed with rod and Lovely armed with rod are visible in this video. But as a matter of fact, no such weapons are visible in the hands of any person, except the one gun in the hands of a fat person who has been identified by the complainant as Ranjit Singh son of Joginder Singh.

Learned State counsel submits that petitioner is involved in another case.

As per the affidavit, the petitioner is not clearly visible in the video clipping and he is not the person who has been stated to be with armed with guns or rods. More so, pendency of another case would not be a ground to deny him anticipatory bail.

The petitioner is granted anticipatory bail subject to joining the investigation within two weeks. He shall be bound by the

conditions under Section 438 (2) Cr. P.C. In case of arrest, the petitioner shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating/Arresting Officer. He is directed to join the investigation as and when called.

The petition stands disposed of.

It is clarified that in case of failure of the petitioner to join investigation within the stipulated time, the State would be at liberty to move an application for re-calling the order.

[AVNEESH JHINGAN]
JUDGE

3rd March, 2021
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |