

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

106

**CRM-M-19806-2021
Decided on : 18.05.2021**

Sukhwinder Dass

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.R.S.Dhaliwal, Advocate, for the petitioner.

Mr.H.S.Sitta, AAG, Punjab.

Mr.Gaurav Sharma, Advocate, for the complainant.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present petition, filed under Section 438 Cr.P.C., is
for grant of anticipatory bail in FIR No.51 dated 25.04.2021 under Sections
458, 323, 34 IPC registered at Police Station Dhanaula, District Barnala.

Counsel for the petitioner has vehemently argued that co-accused,
Malkit Singh and Raj Singh Panch have been granted the benefit of
anticipatory bail by the Sessions Judge, Barnala (Annexures P-3 & P-4).

The present bail application has been opposed by the State
Counsel and Mr.Sharma, counsel for the complainant.

The reason for declining the benefit of anticipatory bail is that no
explanation had been given as to how the motorcycle of the petitioner was
found in the courtyard of the complainant and also the petitioner had received
injuries on his person.

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These facts only goes on to show that the allegations prima facie are correct, to the extent that the petitioner along with the co-accused had gone into the house of the complainant at 10-10.30 PM and inflicted injuries on complainant-Gurpreet Kaur and her niece namely Gurjit Kaur. In such circumstances, this Court is of the opinion that the conduct of the petitioner does not warrant grant of anticipatory bail once the alleged motorcycle was also found in the custody of the complainant on which the petitioner and the co-accused were riding.

The injuries have also been received by the ladies at 10-10.30 PM and the allegations are that the grudge is on account of the behaviour of the petitioner who was playing loud vulgar music and when he was asked to tone down the same in the presence of the ladies, rather than adhering to the advise, the petitioner further aggravated the situation. Thus, granting anticipatory bail to such person would further embolden such a character.

Resultantly, in view of the above, no ground is made out for grant of anticipatory bail to the petitioner and the present petition is, accordingly, dismissed.

MAY 18, 2021

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No