IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19562-2021 (O&M)
Date of decision: 17.05.2021

Gagandeep Singh and others **...Petitioners**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Raman Goklaney, Advocate
for the petitioner.

(through video conferencing)

ARVIND SINGH SANGWAN, J. *(Oral)*

The petitioners pray for grant of anticipatory bail in FIR No. 27 dated 30.03.2021, registered under Sections 307, 323, 506, 148 and 149 of the IPC at Police Station Kulgari, District Ferozepur.

Learned counsel for the petitioners submits that as per allegations in the FIR, registered at the instance of complainant Ravinder Singh, it is stated that he is a labourer by profession and on 29.03.2021, there was a fair of Holi in their village and when he was coming to his house, Manjeet Singh @ Kalu armed with baseball bat, petitioner Lakhvir Singh @ stick (soti) armed with Gandasi, petitioner Gagandeep Singh armed with Dang, petitioner Raj Karan armed with baseball bat and two-three other persons attacked him.

Learned counsel further submits that as per further allegations in the FIR, Gurdial Singh, with an intention to kill the complainant, gave a Gandasi blow, which hit on the right side of the head of the complainant, due to which, he fell down.

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Learned counsel further submits that a perusal of the FIR shows that there are general allegations against the petitioners that they have caused injuries to complainant with their respective weapons.

Learned counsel further submits that in order to show their *bona fide*, the petitioners are ready to pay a sum of Rs. 15,000/- each to complainant as compensation towards his medical expenses, without prejudice to their right of defence.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and submits that complainant got as many as 21 stitches on his head, which shows that accused Gurdial Singh caused injuries invoking Section 307 IPC, however, it is not disputed that there are general allegations against the petitioners that they also caused injuries on the non-vital part of the body of the complainant.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the facts that there are general allegations against the petitioners and they have volunteered to pay a sum of Rs. 15,000/- as compensation to complainant towards his medical expenses, the present petition is allowed and the petitioners are granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, this will be subject to a condition that the petitioners will hand over a demand draft of Rs. 15,000/ each, favouring complainant/victim Ravinder Singh, to the Investigating Officer within a period of 15 days from today, which will further be handed over to

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complainant.

It will be open for the Investigating Officer to call upon the petitioners to join investigation, if so required, by issuing them a written notice in this regard.

The payment of aforesaid amount by the petitioners shall not cause any prejudice to their right of defence.

17.05.2021 **(ARVIND SINGH SANGWAN)**
Waseem Ansari **JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*

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