

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

**CRM-M-22114-2021
Date of Decision : 04.06.2021**

Gurjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Digvijay Nagpal, Advocate
for the petitioner.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.77 dated 17.05.2021 under Sections 323, 324, 148 and 149 of the IPC (Sections 307 and 325 of the IPC added later on), registered at Police Station Kabarwala, Tehsil Malout, District Sri Muktsar Sahib, Punjab.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of one Dalip Singh, it is stated that on 15.05.2021, he has gone to his field for irrigating the land and his neighbours namely Manjit Singh, Pritpal Singh, Ranjit Singh, Amritpal Singh and petitioner Gurjeet Singh were present there. On seeing the complainant, Manjit Singh raised a *lalkara* to teach him a lesson. The petitioner caught hold of him and Pritpal Singh gave a *toki* blow on his head which hit over the left eye and, thereafter, Pritpal Singh again gave a blow on the left hand thumb. Ranjit Singh gave a *kappa* blow on the left index finger and Amritpal Singh pulled the chain which was worn on his neck. When he raised voice, his father Kulwinder Singh and cousin brother (Uncle's son) namely Vikramjit Singh came to his rescue and

then Amritpal Singh hit his father with a spade's stick which hit on the left ear of his father and again he gave a blow on his mouth.

Learned counsel for the petitioner further submits that the only allegation against the petitioner is that he has caught hold of the victim/complainant Dalip Singh, whose injuries were found to be simple, whereas, his father Kulwinder Singh has suffered 03 injuries out of which, injury No.2 is a fracture on left temporal and parietal bone and as there was SAH of left side of brain, it has been declared dangerous to life and injuries No.1 and 3 have been declared grievous in nature.

Learned counsel for the petitioner further submits that the petitioner, without prejudice to his right of defence, is ready to pay a compensation of Rs.1,00,000/- to Kulwinder Singh for his medical treatment.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing accepts notice on behalf of the respondent-State.

Learned State counsel does not dispute the factual position that the only allegation against the petitioner is that he caught hold of Dalip Singh, whereas, other accused caused injuries to him as well as his father Kulwinder Singh and Kulwinder Singh suffered injuries invoking Section 307 of the IPC which is not attributed to the present petitioner.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, considering the aforesaid submissions made by learned counsel for the parties and also in view of the fact that the petitioner is ready to pay a compensation of Rs.1,00,000/- for medical treatment of Kulwinder Singh, the present petition is allowed and the

petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard and the petitioner will hand over a Demand Draft of Rs.1,00,000/- to the Investigating Officer within a period of 15 days from today, which will be further handed over to victim Kulwinder Singh.

04.06.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No