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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.24359 of 2021 (O&M)

Date of decision: 07.07.2021

Manjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.K. Khunger, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. J.P.S. Sidhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0077 dated 17.05.2021 registered under Sections 324, 323, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') (Sections 325 and 307 IPC added later) at Police Station Kabarwala, District Sri Muktsar Sahib.

On 30.06.2021, the following order was passed by this Court:-

“Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State and has raised an objection that the main accused Gurjeet Singh was granted the concession of anticipatory bail on a condition that he has volunteered to pay Rs.1,00,000/- by way of Demand Draft favouring the victim and he has not complied the order dated 04.06.2021

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passed by this Court.

List again on 07.07.2021.

In the meantime, the Registry is directed to tag the case file of CRM-M No.22114 of 2021 with a notice to the petitioner Gurjeet Singh and his counsel as to why for non-compliance of the order dated 04.06.2021, the anticipatory bail be not cancelled.”

Counsel for the petitioner has submitted that the accused Gurjit Singh had surrendered before the police on 06.07.2021 as he did not pay Rs.1,00,000/-.

Counsel for the petitioner has further submitted that as per the allegations in the FIR, registered at the instance of one Dalip Singh, it is stated that the petitioner – Manjit Singh was empty handed, Pritpal Singh armed with toke, Ranjit Singh, son of the present petitioner, armed with kappa, Amritpal Singh, son of the petitioner, armed with handle of spade and Gurjeet Singh, son of the petitioner with empty hands were present and the petitioner Manjit Singh gave a lalkara to teach him a lesson for putting soil on the boundary of the house. In that process, Gurjeet Singh caught hold of him and Pritpal Singh gave a toki blow, which hit on his head above the left eye and Pritpal Singh gave another blow which hit on his left hand on the lower side of the thumb. Ranjit Singh gave a kappa blow which hit on his left side of his little finger. Thereafter, when his father Kulwinder Singh and Vikramjeet Singh came forward then, Amritpal Singh hit Kulwinder Singh with the handle of spade on the left ear and mouth of his father. Thereafter, the accused ran away from the spot.

Counsel for the petitioner has further submitted that the petitioner is an old man aged about 60 years and as per the own version

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of the FIR, he was empty handed and has not caused any injury except that he has provoked the other accused persons.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Counsel for the complainant, on the other hand, has submitted that all the accused persons including the sons of the petitioner have collectively caused injuries to the victim and his father.

After hearing the counsel for the parties and considering the facts and circumstances of the case and also in view of the fact that the son of the petitioner namely Gurjeet Singh has already been arrested, this petition is allowed and In the meantime, the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.*

(ARVIND SINGH SANGWAN)
JUDGE

07.07.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No