

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

**CRM-M-30368-2021
Date of decision: 02.08.2021**

Ranjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0077 dated 17.05.2021, registered under Sections 324, 323, 148, 149 of the IPC (Sections 325 and 307 of the IPC added later on) at Police Station Kabarwala, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that initially the FIR was registered under Sections 324, 323, 148, 149 of the IPC and later on, offences under Sections 325 and 307 of the IPC were added.

Learned counsel further submits that initially the petitioner was granted concession of regular bail, however, after addition of aforesaid sections, the police seeks to re-arrest the petitioner.

Learned counsel further submits that as per allegations in the FIR, registered at the statement complainant Dalip Singh, it is stated that

when he had gone to his fields, his neighbours, including petitioner, came there. They were armed with weapons like *Kappa*, *Toki*, Spade, sticks etc. Manjit Singh raised *lalkara* for restraining them from throwing soil from their house on the boundary. Upon this, Gurjeet Singh grappled with complainant and Pritpal Singh gave a blow with the *Toki* which hit complainant's head above the left eye. Pritpal Singh gave another blow with *Toki*, which complainant's left hand and thereafter, petitioner Ranjeet Singh gave a blow with *Kappa*, which hit the finger of the left hand of the complainant.

Learned counsel for the petitioner further submits that as per allegations in the FIR, the injuries sustained by the victim are on non-vital part of the body and the injury, invoking Section 307 IPC, is attributed to other co-accused.

Learned State counsel, assisted by learned counsel for the complainant, submits that during investigation, Section 307 IPC stands deleted, however, Section 325 IPC is made out.

In reply, learned counsel for the petitioner submits that co-accused Gurjeet Singh has moved an application for re-constitution of a medical board for examination of Kulwinder Singh, which was declined primarily on the ground that since the investigation is in progress, such request can be made by the police and not by the accused.

Be whatsoever, after hearing learned counsel for the parties and considering the aforesaid submissions made by the parties, 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.

02.08.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No