

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**Sr.No.204**

**CRM-M No.31967 of 2021**

**Date of Decision: 09<sup>th</sup> September, 2021.**

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Ramesh Sharma, Advocate,  
for the petitioner.

Mr. Balbir Singh Sewak, Addl.AG, Punjab.

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**MEENAKSHI I. MEHTA, J. (ORAL)**

The petitioner herein seeks the relief of anticipatory bail in the criminal case pertaining to the FIR bearing No.153 dated 17.10.2020 registered at Police Station Arniwala, District Fazilka, under Sections 341, 379-B, 323, 148, 149 IPC.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner, along-with his co-accused, way-laid the complainant and her son while they were returning from the house of their relative Suba Singh and caused injuries to them with sticks, baseball bat and kick blows and the petitioner snatched away the gold ear-ring from ear of the complainant.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that there is a delay of three days in lodging the FIR and the civil litigation is already pending between the petitioner and the complainant-party and moreover, the Panchayat of the Village has also given in writing (Annexure P-2) regarding the alleged occurrence having not ever taken place and thus, the petitioner has been falsely implicated in this case and he deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the custodial interrogation of the petitioner is required as the gold ear-ring snatched by him from the ear of the complainant, is yet to be recovered from him and in view of the gravity of the allegations as levelled against the petitioner, this petition be dismissed.

The contentions regarding the delay in lodging the FIR and the pendency of the civil litigation between the parties can and shall be looked into and adjudicated by the trial Court at the appropriate stage after appreciating and evaluating the evidence that may be led on the record during the course of the trial and the same cannot be dealt with and decided at this stage while deciding this petition as moved for seeking anticipatory bail.

As regards Annexure P-2, it is pertinent to mention here that the truthfulness and veracity of the contents of the same shall also be the subject matter for consideration and determination by the trial Court at the appropriate stage of the trial proceedings.

To add to it, the recovery of the said gold ear-ring of the complainant is yet to be effected from the petitioner. In these circumstances, the possibility of the requirement of his custodial interrogation for the said

purpose cannot be ruled out.

Keeping in view all the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed accordingly.

(MEENAKSHI I. MEHTA)  
JUDGE

09.09.2021.  
seema

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| Whether speaking/reasoned? | Yes |
| Whether Reportable?        | No  |