

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-32998 of 2021

Date of Decision: 16.08.2021

Gurdeep Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kashish Garg, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 92 dated 9.5.2021, under Sections 307, 323, 353, 186, 148 and 149 IPC, registered at Police Station Canal Colony, Bathinda.

The FIR was registered on the statement of ASI-Roop Singh. On 8.5.2021, the complainant was on PCR No. 10 duty in the area of Parasram Nagar Bathinda. A wireless message was received from the Control Room that in Janta Nagar, Bathinda, there was a fight. The complainant along with police party reached the spot and tried to pacify the people who were indulging in fighting. In the meantime, Vicky, Bobby, Suraj and Gurdeep Singh (petitioner) caught hold of the complainant from arm and Akash Kumar gave a brick blow on the right side of the head of the complainant. Vicky also gave a brick blow on the head of the complainant. The complainant fell down, the accused dragged him and gave kick blows.

Learned counsel for the petitioner submits that the message to the Control Room was given by the son of the petitioner, there was no

occasion for them to catch hold of the complainant and give brick blows.

Learned counsel for the State appearing on advance notice on instructions opposes the prayer for grant of anticipatory bail. She argues that the message was sent to the Control Room by the son of the petitioner, the police party reached at the spot and tried to pacify them, but failed. When asked for to come to the police station, the petitioner and other co-accused got agitated, caught hold of the complainant and gave brick blows.

In the present case, the police party was attacked, when it tried to pacify the people who were fighting. The allegations against the petitioner are specific. It was due to his act of holding the complainant that other co-accused Vicky and Akash were able to give brick blows to the complainant on the head.

No case is made out for pre-arrest bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

16th August, 2021
mk

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No