

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

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CRM-M-34255-2021

Date of Decision : September 14, 2021

ROBIN ALIAS ROBIN SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

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CRM-M-34320-2021

AZAR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. I.S.Brar, Advocate for
Mr. K.S.Brar, Advocate
for the petitioner(s).

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

These two petitions shall be disposed of by way of common order as in both the petitions the prayer is for grant of anticipatory bail and arising out of the same FIR.

CRM-M-34255 of 2021 has been filed by one Robin @ Robin Singh and CRM-M-34320 of 2021 has been filed by one Azar Singh (whose name has been mentioned as Romy in the FIR).

Both the learned counsels for the parties have submitted that the present Azar Singh and Romy are the one and the same person.

The present FIR was lodged on the basis of statement made by ASI Raj Singh, in which he stated that when he was posted at Smalsar Police Station then on 22.05.2021 the Head Munshi had informed him telephonically that one complaint has been received from one complainant namely Gurwinder Singh @ Gora against Satnam Singh son of Gurdev Singh that Satnam Singh alongwith 15 to 18 persons were holding kahi, base-ball and many other deadly weapons have attacked the house of the complainant and the police should reach immediately for further action. Thereafter, the aforesaid ASI Raj Singh alongith PHG Tarsem Singh had reached the spot at village Veroke in a private car, which was driven by driver Gurmeet Singh and on the spot 15 to 18 persons with deadly weapons were standing in front of the house of Baba Gurpreet Singh, who is now residing in the house of Satnam Singh, Veroke, to whom the aforesaid police officials had stopped from quarrelling. All the aforesaid persons started opposing them and out of them accused Satnam Singh, Hardeep Singh, Arshdeep Singh, Binderpal Singh, Amandeep Kaur, Robin @ Robin Singh (petitioner), Romy (petitioner), Sunny, Sahota, Manpreet Singh, Gurwinder Singh, Jeewan Singh and Lehri Singh and 4-5 other unknown boys who were from Faridkot suddenly started talking in a loud voice with them in aggression and Satnam Singh who while talking to them came in aggression and hit back side on the head of the ASI Raj Singh with *Kahi* with an intention to kill him and had said in a loud voice to catch hold of these police officials and let these police men know how to scuffle with Faridkotias and thereafter, Robin (petitioner) and Romy (petitioner) etc. manhandled him

and tore down his uniform and with an intention to kill him attacked him with baseball, sticks etc. and when PHG Tarsem Singh rescued him then all these three persons gave injuries and tore down the uniform and snatched his mobile and caused injuries on his person and also on the right elbow and then Ram Singh son of Nirmal Singh came to help them and the abovestated persons gave injuries to him also with their respective weapons. Thereafter on seeing the gathering of people on the spot, all the aforesaid persons alongwith their respective weapons fled away from the spot while damaging the car with baseball and thereafter the injured were admitted to hospital.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated and although their names have been mentioned in the FIR but there is no role attributable to the petitioners and, therefore, has prayed for the grant of anticipatory bail.

However, on the other hand, Mr. Randhir Singh Thind, learned DAG, Punjab while vehemently opposing the grant of anticipatory bail to the petitioners has submitted that firstly the other similarly situated co-accused namely Lehri Singh, Sukhjiwan Singh and Manpreet Singh had filed an anticipatory bail application before this Court in two petitions bearing Nos. CRM-M-24379 of 2021 and CRM-M-24597 of 2021, wherein this Court had dismissed the anticipatory bail applications by passing a detailed speaking order on 02.07.2021. Secondly, in the present case both the petitioners have been specifically named in the FIR and specific role has been attributed to the petitioners. He submitted that both the petitioners had given injuries to the injured

and before giving injuries as per the FIR they had manhandled the injured and the injuries caused were serious in nature on three persons including two police men. The learned State Counsel further submitted that ASI Raj Singh suffered two injuries on the head, PHG Tarsem Singh suffered two injuries one on the right shoulder and one on the head and the third person namely Ram Singh suffered four injuries as per the MLR. He further submitted that it was a serious case wherein a gang of 15 to 18 persons attacked many persons including police officials, who were performing their duties and they had suffered injuries due to the attack by a group of people and therefore, the present case is not less than a serious and heinous crime. He further submitted that even the car on which the police men had come was also damaged and their mobile phones were also snatched. He has further submitted that the petitioners are at large and weapons are yet to be recovered from them and out of total 15 to 18 persons, only seven persons have been arrested till date and the remaining accused including both the petitioners are absconding and, therefore, he has prayed for the dismissal of the present petitions.

I have heard the learned counsels for the parties.

As per the FIR, the allegations are that a gang of people including both the petitioners who have been specifically named in the FIR had attacked the police party consisting of two officials and as stated by the learned Deputy Advocate General, Punjab the injuries were sustained by the police officials as well as by one private person. From the facts of the case, it can be seen that a gang of people including the petitioners, who have been named in the FIR, had attacked not only the

private persons but also police officials who were injured and as per the allegations even their uniforms were torn and their car was also damaged apart from snatching of mobile phones from them. The weapons are yet to be recovered and out of the total 15-18 accused, only seven persons have been arrested so far. Going by the allegations, which have been made the subject matter of the present case, it is certainly of a high magnitude when 15 to 18 persons allegedly formed a gang and attacked police officials who were performing their official duties, the same certainly fall under the category of serious offence. The weapons are yet to be recovered and going by the allegations, the present case being of a high magnitude, the same would disentitle the petitioners from grant of anticipatory bail.

Therefore, without commenting on the merits of the case, no ground is made out for the grant of anticipatory bail to the petitioners.

Consequently, both the petitions are hereby dismissed.

However, it is made clear that the aforesaid observations of this Court are only for the purpose of deciding the present petitions and not in any manner reflect on the merits of the case.

(JASGURPREET SINGH PURI)
JUDGE

September 14, 2021
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No