

210

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

Date of decision: 10.11.2021

1. CRM-M No.42178 of 2021 (O&M)

Himmat Singh	Versus	Petitioner
State of Punjab		Respondent

2. CRM-M No.41362 of 2021 (O&M)

Kiran Bala	Versus	Petitioner
State of Punjab		Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajbir Singh, Advocate for the petitioner(s).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in these petitions is for grant of anticipatory bail to the petitioners namely Himmat Singh and Kiran Bala in FIR No.160 dated 08.09.2021 registered under Sections 307, 342, 353, 186, 506, 436, 511, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') (Section 426 IPC has been wrongly mentioned in the order dated 17.09.2021 passed by the Additional Sessions Judge, Jalandhar, instead of Section 436 IPC) at Police Station Nakodar Sadar, District Jalandhar.

The petitioners Himmat Singh and Kiran Bala, are husband and wife.

As per the allegations in the FIR, the contractual persons of Punjab State Electricity Department when went to the village of the petitioners for the purpose of distribution of the electricity bill and noting the reading of the meters in the houses, both the present

petitioners along with other co-accused persons threatened them and kept them in an illegal confinement by locking them in a room of their house. The petitioner Himmat Singh with intention to kill gave iron rod blow on the person of Circle Incharge namely Gursharan Singh and Supervisor Charanjeet Singh. Thereafter, the petitioner Anita @ Kiran Bala asked the other co-accused to bring a can full of petrol and pour the petrol on all the victims as well as their vehicles in order to teach them a lesson for entering the village. The victim Kulwant Singh then called the officers of the Electricity Department. Upon which the SHO, Salwinder Singh, J.E. Harkamal Singh along with the police party came at the spot and rescued them from the illegal detention of the petitioners and 30-40 other unknown persons.

Counsel for the petitioners has also submitted that in fact the petitioner Himmat Singh being the Sarpanch of the village was asking the victims as to why they have come to the village without being accompanied by the officials of the Electricity Department and therefore, they have been wrongly implicated.

Counsel for the petitioners has also argued that even in this regard the petitioner has given a complaint to the higher police officials, however, no action was taken and thereafter, the petitioner – Himmat Singh has even filed CRM-M No.27557 of 2021, praying for early disposal of their complaint.

Reply by way of affidavit of the Deputy Superintendent of Police, Sub-Division Nakodar, District Jalandhar, is on record and as per the reply, it is stated that the FIR was registered on a written complaint given by Kulwant Singh against the petitioners and other co-

accused who were nominated on the basis of a video clip of the occurrence wherein the victims were kept in illegal detention by all the accused persons, who have gone to the village of the petitioners for taking reading of the meters and distribution of the electricity bill and in that process, both the petitioners along with 30-40 persons came at the spot and restrained them from performing their duty and rather illegally confined them in a room of their house. It is also stated that the petitioner – Himmat Singh with intention to kill gave iron rod blow on the victim Gursharan Singh and Charanjeet Singh.

It is further stated in the reply that the role of the petitioner – Anita @ Kiran Bala is that she provoked the other accused to bring a cane full of petrol so that the same may be poured on the victims as well as their vehicles in order to deter them in future from entering the village. It is also stated that after registration of the FIR, on the basis of the CD recording at the spot (copy attached as Annexure R-1), the other co-accused Kulwant Kaur was arrested, who suffered a disclosure statement that the petitioner Himmat Singh being Sarpanch of the village, used to ask all the villagers to pay Rs.500/- each and he will get their electricity bill waived off and on that date of incident, when the employees of the Punjab State Power Corporation Limited, came to the village to distribute the electricity bill and note the meters reading, the petitioners gathered all the co-villagers and confined them in their house and then, demanded Rs.2.50 lacs for releasing them and threatened them not to take reading of the meters and distribute the electricity bill. It is also stated in the affidavit that the petitioner – Himmat Singh is involved in 02 more FIRs i.e. FIR No.162 dated

13.09.2021 registered under Sections 353, 186, 506, 379, 34, 120-B IPC and FIR No.324 dated 19.12.2015 registered under Sections 447, 148, 149 IPC, at Police Station Sadar Nakodar, District Jalandhar.

After hearing the counsel for the parties, I find no ground to grant the concession of anticipatory bail to both the petitioners.

Admittedly, the petitioner Himmat Singh is the Sarpanch of the village and instead of co-operating with the victims, who had gone to note down the reading of the meters and distribute the electricity bill, he by illegally taking money from the villagers on the pretext of waiving off the electricity bill, not only kept them in illegal confinement for a long period in their own house but also caused them injuries and then further, threaten them to pay Rs.2.50 lacs for releasing them.

The role of the petitioner – Anita @ Kiran Bala is also serious that she provoked the other co-accused to bring a cane of petrol in order to pour it on the victims and their vehicles to deter them from coming to the village.

The conduct of both the petitioners, being husband and wife and especially the petitioner – Himmat Singh, who is the Sarpanch of the village, clearly show their intention of committing the offence.

In view of the above, considering the serious allegations against both the petitioners, the present petitions are dismissed.

A photocopy of this order be placed on the file of other connected case.

10.11.2021

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Whether speaking/reasoned:
Whether reportable:

(ARVIND SINGH SANGWAN)

JUDGE

Yes/No
Yes/No