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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.49335 of 2021 (O&M)

Date of decision: 25.11.2021

Ranjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Iqbal Singh Saggu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.69 dated 27.09.2021 registered under Sections 307/326/325/324/323/336/452/295-A/148/149 IPC and 25/27 of the Arms Act and 3(i)(iii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Kacha Pucca, District Tarn Taran.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Sukhraj Singh, it is stated that on 27.09.2021, he along with others were present at his shop when the accused persons armed with pistol, riffle, datar and baseball bat, came there and raised lalkara. One of them namely Amritpal Singh fired a shot towards the son of the complainant, which hit on his neck and he was taken to the hospital and in that process, the co-accused Nirbhai Singh and Mandeep Singh, entered the Gurudawara Sahib and pushed the complainant and his turban fell down and even he was

abused in the name of his caste. Counsel for the petitioner has further submitted that the allegations against the petitioner is that he was carrying a piece of brick (small piece of stone), however, there is no allegation that he has used the same for causing injury to anyone. Further there is no allegation that he has abused the complainant in the name of his caste.

Counsel for the petitioner has also submitted that in fact, it is a dispute between the Gram Panchayat on one side and Managing Committee of the Gurudawara Sahib, on the other side as the Gram Panchayat wanted to reconstruct its shop on the land near the Gurudawara Sahib and when the Gram Panchayat wanted to replace the roof of the shop, then the members of the Gurudawara Committee raised an objection. It is also argued that in fact, the petitioner is a petty shopkeeper, who is running a Karyana Store, on a shop, which was taken on lease by the Gram Panchayat and the petitioner has been unnecessarily implicated in the case.

Counsel for the State has not disputed the factual position that the petitioner is not attributed any injury and he was shown to be carrying a small piece of stone, however, opposed the prayer for bail of the petitioner.

After hearing the counsel for the parties, considering the fact that the petitioner is not attributed any injury, this petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. *He shall make himself available for interrogation by a police officer as and when required;*
2. *He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
3. *He shall not leave India without previous permission of the Court.*

It will be open for the Investigating Officer to summon the petitioner as and when required by him, to join the investigation, by giving an advance notice in writing.

(ARVIND SINGH SANGWAN)
JUDGE

25.11.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No