

CRM-M-12948-2022 (O&M)

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

Decided on: March 29, 2022.

(1)

CRM-M-12948-2022 (O&M).

Gurdeep Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

(2)

CRM-M-12965-2022 (O&M).

Ranjot Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT

**Mr.Lakshay Bector, Advocate,
for the petitioner in both the petitions.**

Mr.Davinder Bir Singh, DAG, Punjab.

Mr.Hitesh Ghai, Advocate, for the complainant.

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JASGURPREET SINGH PURI, J. (ORAL)

This order will dispose of the above noted two petitions i.e. CRM-M-12948-2022 filed by petitioner Gurdeep Singh and CRM-M-12965-2022 filed by petitioner Ranjot Singh under Section 438 of the Code of Criminal Procedure, for the grant of anticipatory bail in FIR No.69 dated 9.3.2022, registered under Sections 323, 341, 379-B, 506 and 34 IPC, at Police Station, Sahnewal, District Ludhiana.

Both the cases are taken up together since they arise from the same FIR.

As per the FIR lodged on the basis statement of Amandeep Singh complainant, he is the former Sarpanch of village Umaidpur and work in agriculture and on 07.03.2022 in the evening when he went from home for a walk at 4:30 p.m. and reached D.S. Panesar Kanda, a motorcycle came from behind and on that motorcycle Ranjot Singh (petitioner) and Gurdeep Singh (petitioner) who are residents of his village were sitting behind and an unknown person was driving the motorcycle and they were holding baseball bats in their hands. They stopped the motorcycle near him and suddenly with the baseball bats in their hands they started beating him and while giving beatings, Ranjot Singh (petitioner) snatched 6 tola gold chain from his neck and an unknown person made a video of him being beaten on his mobile phone, due to which he started screaming. The reason of the enmity as mentioned in the FIR is that petitioner Ranjot Singh told the complainant that a shop adjacent to the

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shops of the complainant is being sold at cheaper rate and they can buy the same for an amount of Rs.5,00,000/- for him and therefore, complainant gave them Rs.5,00,000/-. It has been further mentioned in the FIR that when the complainant was neither given the shop nor money, then he even reported the matter to the Commissioner of Police earlier to the incident but thereafter now the aforesaid two petitioners have attacked the complainant.

Learned counsel for the petitioners has submitted that petitioners in both the cases have been falsely implicated in the present case because from the FIR, it appears that it was a concocted story and there was a dispute regarding some shop and the present FIR has been lodged with ulterior motive and therefore, petitioners may be considered for the grant of anticipatory bail. He submitted that although both the petitioners are involved in two more cases as well but that cannot become a ground for the denial of anticipatory bail to the petitioners.

On the other hand, Learned State counsel has submitted that he has received advance copy of both the petitions and have perused the same and has also sought instructions from the concerned investigating officer. He submitted that it is a case where the entire incident was recorded in a mobile video and a look at the video would show that the incident mentioned in the FIR absolutely co-relates with the video and in the video it can be seen that three persons had come on the motorcycle from where two persons had alighted and started beating with sticks which can be base ball bats and thereafter, it is not clear from the video whether there was act

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of snatching of gold chain after beating was done. He submitted that the petitioners are involved in two more cases and therefore, in the aforesaid circumstances custodial investigation of both the petitioners is required.

At this stage, Mr.Hitesh Gupta, Advocate, has also caused appearance on behalf of the complainant. He has shown the video in the Court which has also been seen by the learned counsel for the petitioners.

I have heard the learned counsel for the parties.

It appears that sequence of events which have been stated in the FIR co-relates directly with what can be seen in the video. This Court does not wish to go into the merits of the case and this Court does not wish to make any observation with regard to the merits of the case but for the purpose of considering the prayer for the grant of anticipatory bail, the aforesaid submissions made by the learned State counsel as well as learned counsel for the complainant would certainly deserve consideration for the Court to satisfy itself as to whether anticipatory bail should be granted to both the petitioners or not. The petitioners are also involved in two more cases. Although the act of snatching of gold chain is not clear from the video but apparently the video appears to co-relate with the contents of the FIR subject to verification and authenticity of the same. Therefore, without observing anything on the merits of the case, this Court does not deem it fit and proper to grant the concession of anticipatory bail to both the petitioners. Accordingly, both the petitions being devoid of any merits, are

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hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petitions.

March 29, 2022.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No