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

**CRM-M-14367-2022**  
**Date of Decision: 05.04.2022**

Balram Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. B.S. Bhalla, Advocate for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No. 275 dated 17.11.2021, under Sections 307, 341, 323, 378B, 506, 148 and 149 IPC and Section 25 and 27 of Arms Act, registered at Police Station City South Moga, District Moga.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and even as per the allegations he had broken the legs of the complainant but there was a lapse of 5 days in admitting him to the hospital. He referred to the orders passed by this Court in other case vide Annexure P-2 whereby the other co-accused namely Tarsem Singh has been granted interim bail by the Court and has stated that the petitioner is at parity with the aforesaid Tarsem Singh.

On the other hand, Mr. Davinder Bir Singh, DAG, Punjab has

submitted that he has received an advance copy of the present petition and has also gone through the same and has sought instructions. He further submitted that it is a case where the petitioner was the main accused even as per the allegations contained in the FIR and specific role has been attributed to the petitioner. He further submitted that the petitioner is not at parity with the aforesaid Tarsem Singh who has been granted interim bail by this Court since the matter was pertaining to a family dispute between the brother-in-law of the complainant who is the present petitioner (Jija). He further submitted that even as per the perusal of the FIR the enmity was that the sister of the complainant is married with the petitioner and was maltreated and thereafter she had come back to the matrimonial home and the dispute arose with regard to the same and consequently the petitioner had mercilessly beaten up the complainant alongwith other co-accused. He further submitted that the petitioner is absconding since long time and it is a fit case where custodial interrogation of the petitioner is required.

I have heard the learned counsel for the parties.

It is a case where specific role has been attributed to the petitioner and it appears that the petitioner is the main accused because of the contents mentioned in the FIR itself that the dispute was between both the brothers-in-law who is the complainant and the petitioner. The petitioner allegedly gave beatings to the complainant who is his brother-in-law and his legs were broken. So far as the other co-accused who has been granted interim bail by this Court is concerned, the same is not at parity with the petitioner. Therefore, considering the gravity of the offence and

the specific role attributable to the petitioner in the present FIR, this Court does not deem it fit and proper to grant anticipatory bail to the petitioner.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

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

05.04.2022

rakesh

(JASGURPREET SINGH PURI)  
JUDGE

|                    |   |        |
|--------------------|---|--------|
| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |