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

**CRM-M-19005-2022 (O&M)
Date of Decision: 06.05.2022**

Jatinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CRM-M-19014-2022 (O&M)

Palwinder Singh alias Pammi

..... Petitioner

Versus

State of Punjab

..... Respondent

CRM-M-19016-2022 (O&M)

Jorawar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CRM-M-19018-2022 (O&M)

Kanwaljeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kanwar Pahul Singh, Advocate,
for the petitioner (in all cases).

JASGURPREET SINGH PURI, J. (ORAL)

All these petitions have been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners and the same are taken up together for final disposal with the consent of the learned counsel for the petitioners, since all the petitions arise out of the same FIR

bearing No.53 dated 04.04.2022, under Sections 324, 323, 325, 341, 427, 506, 295, 148 & 149 of the IPC, registered at Police Station Lopoke, District Amritsar Rural.

As per the FIR, which was lodged on the basis of the statement made by one Jagir Singh stated to be of the age of 80 years that when he was coming back to home from his fields in his car then a group of persons collectively attacked him. The names of the persons have been mentioned in the FIR which includes all the present petitioners, namely, Jatinder Singh, Kanwaljeet Singh, Palwinder Singh alias Pammi and Jorawar Singh. Thereafter, a specific role has been attributed to all the four petitioners. It has been stated that the petitioner-Kanwaljeet Singh brought his motorcycle before the complainant's car and stalled him and caught him from all fours. Then Raj Singh raised lalkara thereupon Fateh Singh broke front glass of his car with *datar*. Petitioner-Jatinder Singh and Balwinder Singh pulled him out of the car and then Fateh Singh with intention to kill, tried to cause head injury with *datar* but he raised his right arm and the said blow caused injury on his forearm. Thereafter, Jatinder Singh-Petitioner, Balwinder Singh, Fateh Singh and Petitioner Jorawar Singh threw him on ground and Petitioner-Jatinder Singh caught his right leg and Balwinder Singh caught his left leg and Fateh Singh caught him from his hair and caused injury to his religion and Petitioner-Jorawar Singh caught his arms. Then Balwinder Singh turned his left leg and his left leg broke from thigh above knee. Thereafter, Balwinder Singh threw him on the stone and Raj Singh gave him injury below the knee of his right leg and Fateh Singh gave him blow near shoulder of his left arm. In this way, a number of injuries were caused upon the complainant by all the four

petitioners and thereafter when alarm was raised then people came on the spot and rescued him.

Learned counsel for the petitioner further submitted that even as per the FIR, no injury was attributable to the petitioners as according to him the attribution to the petitioners were that they were only carrying dang and baseball bats but they have not caused any injury to anybody.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has submitted that he has received an advance copy of the present petition and he has gone through the same and has also sought the instructions from the concerned Investigating Officer. He further submitted that it is a case where a gang collectively attacked one old person aged 80 years and resultantly it caused 18 injuries and his thigh bone was also broken. He also submitted that a bare perusal of the FIR would show that all of them collectively caused injuries to the complainant-Jagir Singh and he is still hospitalized and it is a case where custodial interrogation of the petitioners is required to ascertain the motive and also for the recovery of weapons from them. He has, therefore, vehemently opposed to grant of anticipatory bail to all the four petitioners.

Mr. Maan Akashdeep Singh, Advocate has caused appearance on behalf of the complainant and has submitted that the petitioner, who is aged 80 years, was severely beaten up by the gang, who are named in the FIR specifically and the complainant is still in the hospital and his thigh bone has been broken.

I have heard the learned counsel for the parties.

As per the allegations stated in the FIR, all the four petitioners

along with 4-5 more persons had collectively attacked one old person aged 80 years and as per the learned State counsel and the learned counsel for the complainant, the complainant is still admitted in the hospital as 18 injuries were caused out of which one was with sharp edged weapon and the other injuries were blunt and his thigh bone has also been broken.

The submission made by the learned Deputy Advocate General, Punjab that for the purpose of qualitative interrogation, the custodial interrogation of all the four petitioners is required particularly in view of the fact that an old man was collectively attacked by a group of persons with a result that he suffered 18 injuries does carry weight. The nature of the allegations, the gravity and the magnitude of the offence would disentitle the petitioner for the grant of anticipatory bail.

Consequently, finding no merit in all the four petitions, the same are hereby dismissed.

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

06.05.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |