

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

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CRM-M-19507-2022(O&M)
Date of Decision : May 09, 2022

RAJ SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Vipul Aggarwal, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

Power of attorney has been filed by Mr. Vipul Aggarwal, Advocate with no objection from the earlier counsel Mr.K.P.Singh, Advocate in the Court which is taken on record.

The present petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.53 dated 4.4.2022 under Sections 324/323/325/341/427/506/295/148/149 IPC, registered at Police Station Lopoke, Amritsar Rural.

It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case and the only role attributable to the petitioner was *lalkara* and at the most the injury, if any, was pertaining to Section 323 IPC. He submitted that the wife of the petitioner, namely, Balwinder Kaur @ Billo has been granted anticipatory bail by this Court. He further submitted that the petitioner is 59 years of age and, therefore, he may be considered for the

grant of anticipatory bail.

On the other hand, Mr. Davinder Bir Singh, DAG, Punjab has submitted that he has received an advance copy of the present petition and he has also sought instructions. He submitted that the petitioner who is the father of three other co-accused and it is a case where all of them have collectively caused injuries to 80 years' old person when he was coming back from his fields in his car. He further submitted that specific role has been attributable to the petitioner and his sons and the other co-accused although initially the petitioner raised a *lalkara* but he being the father of the three other co-accused had instigated the entire offence which resulted in causing serious injuries to the complainant who is an old person of 80 years and infact he suffered 18 injuries and his thigh bone was also broken. He submitted that it is a case where a group of persons attacked one person who is 80 years' old and in order to ascertain the motive and for the recovery of the weapons, the custodial investigation of the petitioner is required who was infact the main accused in the present case. He further submitted that the other co-accused, namely, Jatinder Singh, Palwinder Singh @ Pammi, Jorawar Singh and Kanwaljeet Singh had also filed petitions for anticipatory bail vide CRM-M-19005-2022, CRM-M-19014-2022, CRM-M-19016-2022 and CRM-M-19018-2022 and this Court had dismissed the same by way of a detailed order. He submitted that for the purpose of qualitative interrogation the custodial interrogation is required particularly in view of the fact that a large number of persons had collectively attacked one aged person of the age of 80 years who suffered 18 injuries.

I have heard the learned counsels for the parties.

It is a case where allegedly a group of persons collectively attacked one person aged 80 years which resulted causing of 18 injuries including breaking of his thigh bone. The petitioner who is the father of 3 other co-accused and as per the allegation on his *lalkara* they all collectively attacked an old person. The anticipatory bail applications of the other four co-accused have been dismissed by this Court on 6.5.2022. The submissions made by the learned State counsel that for the purpose of qualitative interrogation the custodial investigation of the petitioner was required because he was the main instigator of the offence does carry weight. Therefore, in view of the gravity and magnitude of the offence, the petitioner would be dis-entitled for the grant of anticipatory bail.

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

(JASGURPREET SINGH PURI)
JUDGE

May 09, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No