

IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH

(210)

CRM-M-28146-2021

Date of decision: 01.08.2022

NARINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Jashan Jot Singh, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG Punjab.

VIKAS BAHL J.(Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.93 dated 23.05.2021, under Sections 326, 324, 323, 341, 506, 34 and 325 (added later on) IPC, registered at Police Station Sadar Dhuri District Sangrur.

On 20.07.2021, a Co-ordinate Bench of this Court was pleased to pass the following order:-

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 93 dated 23.5.2021, registered under Sections 326, 324, 323, 341, 506, 34 IPC (Section 325 IPC added later on) at Police Station Sadar Dhuri, District Sangrur. FIR was lodged on the statement of one Jeetpal Singh who stated that he is President of Gurudwara Committee of village Kanjhli, Tehsil Dhuri, District Sangrur. It is alleged that petitioner who was earlier President of Gurudwara Committee used to quarrel with complainant on account of money of Gurudwara Sahib. On 22.5.2021, petitioner again quarrelled with complainant. Petitioner alongwith his brother Jaswinder Singh came outside house of

complainant and started abusing him. Petitioner and his brother were armed with gandasas. When complainant and his son Rajbir Singh were going to house of Sarpanch to inform him about incident, then petitioner and his brother surrounded the complainant and his son Rajbir Singh. The brother of petitioner Jaswinder Singh aimed a gandasa blow on the head of complainant which hit near the elbow of left hand of complainant due to which his left hand was cut. The petitioner is alleged to have given a gandasa blow on the forehead of complainant and also inflicted gandasa blows from reverse side to complainant. On noise being raised, petitioner and his brother fled away.

Mr. Sukhbeer Singh, learned AAG Punjab states that in the attack by petitioner and his brother, complainant suffered 5 injuries, in which injury No. 1 on the left elbow of complainant is grievous whereas son of complainant suffered 2 injuries, in which injury on index finger is grievous.

Learned counsel for petitioner states that petitioner is a young man. The petitioner has no animosity with complainant. Petitioner is ready and willing to resolve the dispute with complainant and he would make efforts to resolve the dispute with complainant.

Notice of motion.

Mr. Sukhbeer Singh, AAG Punjab and Mr. Sumeet Puri, Advocate accept notice on behalf of State and complainant. Adjourned to 2.8.2021.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C. To be shown in urgent list.

**(HARINDER SINGH SIDHU)
JUDGE"**

20.7.2021

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Ashok Kumar,

has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 20.07.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 20.07.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

August 01, 2022
naresh.k/Ajay Goswami

Whether speaking/reasoned
Whether reportable

(VIKAS BAHL)
JUDGE

Yes/No
Yes/No