

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30596-2022

Date of decision : 18.7.2022

Surinder Singh alias Sonu

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. J.S. Mahal, Advocate
for petitioner.

Mr. B.S. Sewak, Additional A.G. Punjab.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in DDR No. 37 dated 11.4.2022 registered under Sections 323, 324, 427, 148, 149 IPC and under Sections 25, 27 of Arms Act (Section 326 IPC added later on) in FIR No. 38 dated 6.4.2022 registered under Sections 336, 506, 148, 149 IPC and Sections 25, 27 of Arms Act at Police Station Sadar Batala, District Gurdaspur.

DDR was lodged on the complaint of one Charanjit Singh who stated that he is a property dealer. One Satnam Singh had died in year 2021. On 6.4.2022, he alongwith family members of Satnam Singh had gone to village Marar in a Safari to sort out a dispute regarding a plot belonging to Satnam Singh. Charanjit Singh was sitting in the vehicle near the house of Major Singh. The members of family of Satnam Singh had gone to Major Singh, Ex Sarpanch. On the same day, at about 7.35 pm, when the complainant Charanjit Singh was sitting in his vehicle, Chanchal Singh armed with a dang, Surinder Singh alias Sonu (petitioner) armed with a kirpan, Harjit Singh alias Heera armed with a revolver, Jagdeep Singh alias Jaggi armed with a dang, Kulwinder Kaur armed with a stick, Daljir Kaur and Kiran empty handed alongwith 5-7 unknown persons came there and surrounded the vehicle of complainant. Kulwinder Kaur exhorted that

complainant should not be spared for demanding land. They started damaging the vehicle in which the complainant was sitting. The petitioner is alleged to have given a kirpan blow which hit on the left hand of complainant. Jagdeep Singh alias Jaggi gave a dang blow which hit on the left shoulder of complainant. The petitioner hit the right side glass of vehicle with a kirpan and broken glass which in turn hit on the right arm wrist on complainant. Chanchal Singh gave a dang blow which hit on the stomach of complainant. Meanwhile, on alarm being raised, people gathered there and accused ran away.

Mr. Mahal, learned counsel for petitioner has argued that allegations are totally false. Infact, the complainant party in the DDR is the aggressor party. FIR No. 38 dated 6.4.2022 under Sections 336, 506, 148, 149 IPC and under Sections 25, 27 of Arms Act, Police Station Sadar Batala, District Gurdaspur was got registered on the complaint of Chanchal Singh, father of petitioner. Present DDR has been got registered after a delay of 7 days.

It is not possible to accept the contentions of learned counsel for petitioner. Perusal of Annexure P-2 i.e. opinion of Board of Doctors reveals that MLR of Charanjit Singh was conducted on 6.4.2022. He has received 5 injuries. 3 of them were simple in nature. Injuries No. 1 and 2 were kept for observation. The x-ray report was received on 9.4.2022, as per which a cut fracture was seen in the left ulna. The injury was grievous.

As per allegations, petitioner alongwith a large number of other persons surrounded the vehicle of complainant. They caused injuries to him. The petitioner was carrying a kirpan. He aimed 2 blows on the complainant one of which hit on the left arm of complainant causing fracture on left arm.

Mr. Sewak, learned Additional A.G. Punjab states that complainant is physically handicapped.

In view of aforesaid, no ground for grant of anticipatory bail is made out.

Dismissed.

(HARINDER SINGH SIDHU)
JUDGE

18.7.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No