

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30378-2019 (O&M)
Date of Decision:-4.2.2022

Lovepreet Singh @ Navu and another ... Petitioners

Versus

State of Punjab ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tanvir Singh Grrewal, Advocate for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by SI Daljit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1 Lovepreet Singh @ Navu is stated to have expired. Petitioner No.2-Tarsem Singh @ Semi seeks grant of anticipatory bail in respect of a case registered vide FIR No.97 dated 25.6.2019 at Police Station Dirba, District Sangrur under Sections 323, 341, 336, 148, 149 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. Learned counsel for the petitioner has submitted that it is a case of simple injuries only and that the said injuries are attributed to petitioner No.1 Lovepreet Singh @ Navu, who has since expired, and that the only role attributed to petitioner No.2 Tarsem Singh @ Semi is that he had fired in air.

3. When the matter was taken up on 18.8.2021, learned State counsel had submitted that petitioner No.2 Tarsem Singh @ Semi son of Gurcharan Singh is involved in 3 other cases. Accordingly, the matter was adjourned to 21.9.2021 to enable the learned counsel for the petitioners to verify the position regarding previous involvement of petitioner No.2 Tarsem Singh @ Semi son of Gurcharan Singh.

4. On 21.9.2021, the following order was passed:

“Today, at the very outset, learned State counsel has informed that petitioner No.1-Lovepreet Singh @ Navu has since expired.

In view of the aforesaid submission, the instant petition is rendered redundant and is disposed off as such qua petitioner No.1.

On the last date of hearing, the State counsel had informed that petitioner No.2-Tarsem Singh @ Semi is involved in 3 other cases.

Learned counsel for the petitioner has today submitted that infact there is another person by the name Tarsem Singh in the village, who is involved in some criminal case and that the parentage of the said Tarsem Singh is different. It has been submitted that while petitioner No.2-Tarsem Singh @ Semi is son of Gurcharan Singh, the other Tarsem Singh against whom criminal cases are pending is Tarsem Singh son of Bakshish Singh.

Learned State counsel to verify the aforestated position.

List on 21.1.2022.

Interim directions, if any, to continue.”

5. Learned State counsel, upon instructions from SI Daljit Singh, has today informed that it is another person by the name Tarsem Singh son of Bakshish Singh, who is involved in 3 other cases and the said Tarsem Singh is not an

accused in the instant case. He has further informed that petitioner No.2 Tarsem Singh son of Gurcharan Singh is not involved in any other case.

6. In view of the aforesaid position and keeping in view the nature of allegations and the attribution against petitioner No.2 Tarsem Singh @ Semi son of Gurcharan Singh, this Court is of the opinion that it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 19.7.2019 are hereby made absolute, subject to the condition that petitioner No.2 Tarsem Singh @ Semi son of Gurcharan Singh shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.
7. It is clarified that the aforesaid order shall enure offence under Section 325 IPC as well, which is stated to have been added later on.

4.2.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No