

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

1. CRM-M-54015-2021

Malkit Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-448-2022

Sukhdev Singh

...Petitioners

Versus

State of Punjab

...Respondent

Date of decision: 28.01.2022

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Arora, Advocate
for the petitioner(s).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

Prayer in these petitions are for grant of anticipatory bail to

petitioners in FIR No. 249 dated 27.09.2021, registered under Sections 307, 323, 324, 341, 336, 148, 149 of the IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioners submits that the FIR was registered at the instance of complainant Jatinder Singh with the allegations that he is a member of Panchayat and had a fight with Chanan Singh in 2017, for which an FIR was registered against them. On 26.09.2021, at about 8.30 PM, his nephew Sunny, who was doing the work of Mason, was coming back home from his work and the complainant was also going for some urgent work. In the meantime, Ballu armed with Datar, Sarwan Singh @ Gaggi armed with Datar, Roshi armed with Datar, Harjit Singh armed with Datar, Partap Singh armed with pistol, Hardev Singh armed with Daang, Avtar Singh armed with Daang, Malkit Singh empty handed and Balraj Singh @ Ghoda empty handed were standing near Gurdwara Baba Jeevan Singh with an intention of fighting. When Sunny Singh came near them, Malkit Singh and Balraj Singh @ Ghoda raised lalkara and stated that let us catch hold of him and teach a lesson to Sunny Singh for fighting with them and in the meantime, Roshi gave a Datar blow which hit him near his left wrist and thereafter, Ballu also gave a Datar blow with intention to kill him which hit on the backside of his head and he started bleeding and fell down. Thereafter, Sarwan Singh @ Gaggi gave a Datar blow on Sunny Singh's back; Avtar Singh gave a Daang blow on the back of Sunny Singh and the remaining persons also inflicted injuries with their respective weapons and Partap Singh fired a gunshot from his pistol in the air. Thereafter, the complainant, with the help of Harjinder Singh, took Sunny

Singh to Civil Hospital, Tarn Taran, where after being first aid, he was referred to Guru Nanak Dev Hospital, Amritsar, from where, he was referred to PGIMER, Chandigarh, however the complainant party got him admitted to Cooperative Hospital, Amritsar, where he is still under treatment.

The motive attributed in the FIR is that in the year 2017, Chanan Singh and others had a fight with the complainant side and due to that grudge, all the accused persons caused injuries to Sunny Singh, who is the nephew of complainant.

Learned counsel for the petitioners further submits that no specific injury is attributed to the petitioner, except that they were the part of the unlawful assembly, which has caused injuries to victim.

Learned State counsel submits that it is petitioner Sukhdev Singh (named as Hardev Singh in the FIR), who has caused injury No. 4, which is on the scalp of the victim and the skin of his scalp was chopped off and the skull was exposed.

Learned counsel further submits that both the petitioners have actively participated in the commission of offences as petitioner Malkit Singh has raised lalkara asking other co-accused to teach a lesson to Sunny Singh by causing him injuries and injury No. 4 is attributed to petitioner Sukhdev Singh @ Hardev Singh. Learned State counsel further submits that the victim is still under treatment. Photographs of the victim showing the condition of his skull are also placed on record.

After hearing learned counsel for the parties, considering the allegations against the petitioners as well as the nature of injuries sustained

by the victim, I find no ground to grant them concession of anticipatory bail.

Accordingly, the present petitions are dismissed.

A photocopy of this order be placed on the file of other connected case.

28.01.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No