

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

101 (2 cases)

CRM-M-50699-2022

Date of decision : 09.11.2022

Hazara Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CRM-M-50746-2022

Date of decision : 09.11.2022

Savinder Kaur

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MRS.JUSTICE AMARJOT BHATTI

Present : Mr.J.S.Cheema, Advocate
for the petitioner(s).
Mr.Kunwarbir Singh, AAG, Punjab.

Amarjot Bhatti, J.

This order will dispose of CRM-M-50699-2022 tilted as Hazara Singh and CRM-M-50746-2022 tilted as “Savinder Kaur Vs. State of Punjab” as these have arisen out of the same FIR No.223 dated 6.11.2021 under Sections 341, 323, 34 IPC registered at Police Station Bhawanigarh, District Sangrur. For facility of reference, facts are taken from CRM-M-50699-2022.

Brief facts of the case are that Gurpreet Singh, complainant stated that on 30.10.2021 in evening, he was present in his house along with his mother Baljit Kaur, sister Manpreet Kaur, aunt Sarabjit Kaur, cousin Mandeep Kaur, grandmother Mukhtiar Kaur, aunt Harjinder Kaur and they were sitting in the courtyard. At about 5:30 pm, Hazara Singh s/o Dalip Singh armed with iron rod, Nachhatar Singh, Savinder Kaur w/o Hazara Singh armed with *danda* (sticks) entered into their house. Gagan Singh gave rod blow which hit on his right arm. Hazara Singh gave *danda* blow which hit on his nose. Nachhatar Singh also gave *danda* blow; and when his cousin Mandeep Kaur intervened, Hazara Singh and Sukhpal Kaur also gave *danda* blows; other family members intervened and on this, they came out in the street abusing them. Gagan Singh also gave beatings to his mother. Savinder Kaur also gave beatings to his mother and cousin, Mandeep Kaur. Thereafter, the aforesaid persons left the spot with their respective weapons. Conveyance was arranged and Gurpreet Singh and Mandeep Kaur were taken to Civil Hospital Bhawanigarh but he was referred to Rajindra Hospital, Patiala whereas Mandeep Kaur was referred

to Civil Hospital Sangrur where they took treatment.

Learned counsel for the petitioner(s) argues that the offence under Sections 325, 354 IPC has been added after a long gap. They have already joined the investigation and no offence under Section 354 IPC is made out. They are still ready to join the investigation as and when required. That their anticipatory bail applications may be allowed, as prayed for.

The bail applications filed by the petitioners are opposed by learned State counsel.

I have carefully gone through the record.

It is a matter of record that anticipatory bail applications of both the petitioners have been declined by learned Additional Sessions Judge, Sangrur vide order dated 20.10.2022. As per police record, both the petitioners were initially arrested and released on bail on 08.11.2021 under Sections 323, 241, 34 IPC. The police record further shows that the *danda* allegedly used by Hazara Singh and *soti* (stick) used by Savinder Kaur have been recovered and offence under Sections 325 and 354 IPC have been added later on. The medical record shows that Gurpreet Singh suffered five injuries out of which injury nos.2 and 4 on the nose and right wrist joint have been declared as grievous. So far as Manpreet Kaur is concerned, she suffered three injuries which are still under observation. The said injuries are on non-vital part of the body. The weapons have already been recovered and both the petitioners have already joined the investigation earlier and they are ready to join investigation.

Keeping in view the aforesaid facts, the anticipatory bail applications filed by Hazara Singh and Savinder Kaur are allowed subject to conditions as provided under Section 438 (2) Cr.P.C. They are directed to surrender before the Illaqa/Duty Magistrate Sangrur within 12 days from passing of this order and on doing so, they be released on bail to the satisfaction of the Illaqa/Duty Magistrate Sangrur.

Petitions stand disposed of.

09.11.2022
sd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No