

CRM-M-54784-2021

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

(103)

CRM-M-54784-2021.
Date of Decision:-04.01.2022.

Gaganjot Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Hemant Bassi, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

(Through Video Conferencing)

ANOOP CHITKARA, J. (Oral)

Apprehending his arrest in FIR No.425 dated 21.11.2021 (Annexure P-3), registered at Police Station Pehowa under Sections 323, 307, 506, and 34 IPC, the accused has come up before this Court under Section 438 Cr.P.C. seeking anticipatory bail.

Prior to this, another FIR was registered against the petitioner in which he was granted anticipatory bail. The petitioner taking advantage of the said bail has not filed the present petition seeking bail in this FIR on the grounds that he was granted bail in the earlier FIR in the same incident.

On 16.11.2021, the complainant and the accused appears to have indulged in scuffle and there was firing in the air from arms, based on which FIR was registered. However, on 17.11.2021 i.e., the present FIR,

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the complainant alleged that the accused was waiting outside of victim's house in Innova car. At that time, he was accompanied with 4-5 people. In the morning at 6.30 a.m. when Swaranjeet Kaur came out of her house to take morning sprawl, then the petitioner, who was waiting for such opportunity, drove his Innova car on her and also fired on the complainant party. Subsequently, there was intervention of the relatives which led to further incidents which are not relevant at this stage. After the injured was taken to the hospital where the doctor corroborated the injuries received from blunt objects. Subsequently, a DDR entry No.19 was recorded on 17.11.2021 based upon which the present FIR was registered.

The complainant has received injuries and has attributed such injuries upon the petitioner. The doctors have corroborated such injuries including on her teeth. No lady would even if it is presumed that the injuries were self inflicted still such finds a negative answer because no lady would like to cause self-inflicting injuries on her teeth which is a permanent loss. Moreover the injuries were corroborated by doctor.

The nature of allegations revealed that the accused as per the allegations drove his Innova car over the complainant. Innova car is a very heavy vehicle and such accident could have been fatal. Given the fact that on the previous date, there was an incident and as per the complainant feeling having grudges to the previous date incident he planned another attack by showing it as an accident would certainly need custodial interrogation for further probe.

Thus, in the entirety of facts and circumstances coupled with the fact that there was a previous FIR, the custodial interrogation would be more elicited oriented. Thus, in the entirety of facts and circumstances and

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also the victim was a lady, the petitioner fails to make out a special case and consequently, this petition is dismissed.

(ANOOP CHITKARA)
JUDGE

January 04, 2022.

sandeep
Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No