

CRM-M-48531-2019 (O&M);  
 CRM-M-33786-2019 (O&M);  
 CRM-M-656-2020 (O&M) and  
 CRM-M-4543-2020 (O&M);

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

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- (I) CRM-M-48531-2019 (O&M)**  
 Baljit Singh @ Baljit Chaudhary ...Petitioner  
 Versus  
 State of Punjab ...Respondent
- (II) CRM-M-33786-2019 (O&M)**  
 Dhanvir Singh @ Billa ...Petitioner  
 Versus  
 State of Punjab ...Respondent
- (III) CRM-M-656-2020 (O&M)**  
 Harminder Singh ...Petitioner  
 Versus  
 State of Punjab ...Respondent
- (III) CRM-M-4543-2020 (O&M)**  
 Sourav Walia @ Saurav Ahluwalia ...Petitioner  
 Versus  
 State of Punjab ...Respondent

**Date of Decision: 24.02.2022**

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. M.K.Pundir, Advocate,  
for the petitioners.

Mr. M.S.Dullat, Addl. AG, Punjab,  
assisted ASI Lakhwinder Singh.

*(proceedings conducted through video conferencing)*

**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of aforesaid four petitions filed on behalf of

Baljit Singh @ Baljit Chaudhary, Dhanvir Singh @ Billa, Harminder

Singh and Sourav Walia @ Saurav Ahluwalia respectively, seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.239 dated 11.09.2018 at Police Station City Kharar, District SAS Nagar, Mohali, under Sections 323/307/452/506/148/149 IPC and Section 25 of the Arms Act.

2. The FIR in question was lodged at the instance of Sumit Singh, wherein it is alleged that on 11.09.2018 at about 12 noon, he received a call from Baljit Chaudhary, who asked for the keys of Flat No.579. The complainant refused while stating that the Flat belongs to the complainant. Since the complainant suspected that Baljit Chaudhary might be taking possession of his Flat, he alongwith his friends Jaspreet Singh and Vikas Maan went to the said Flat, where Baljit Chaudhary, Dhanvir Billa, Sourav Ahluwalia, Harjinder Singh Mottu Sohi and Sukhbir Singh were already present. It is alleged that Baljit Chaudhary pointed a revolver towards the complainant, but somehow the same did not fire and thereafter, Baljit Chaudhary gave a blow to the complainant with the *butt* of the revolver on his forehead. When Jaspreet came forward to rescue the complainant, then Sukhbir Singh gave a blow with iron rod on the left arm of Jaspreet Singh. Harjinder Singh also gave a blow with iron rod on complainant's left hand. Sourav Ahluwalia is also stated to have inflicted an injury with the butt of 12 bore rifle on complainant's face. Dhanvir Singh is stated to have given a sword blow hitting the knees of the complainant. The other accused are stated to have given fist and kick blows to the complainant as well to his friends Jaspreet and Vikas Maan.

3. When *Dhanvir Singh*'s case was taken up for preliminary hearing on 29.08.2019, the following order was passed:

"It is contended by learned counsel for the petitioner that the petitioner was not present at the scene of alleged occurrence. The petitioner has been named in the incident only being an acquaintance of the other co-accused Baljit Singh. It is further contended that even as per the case of the complainant, the injury attributed to the petitioner is on the knees of the complainant. However, the MLR has not found any visible injuries on either of the knees of the complainant.

Notice of motion for 20.01.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C."

4. Similarly, when *Baljit Singh*'s case was listed for preliminary hearing on 16.11.2019, the following order was passed:

"It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. There is no injury to the complainant as such. Even qua the question of entering into flat, it is submitted by counsel for the petitioner that the petitioner has got the documents in the form of ration card, driving licence and the bank passbook to show that he has been residing in this house for a long time. The case has been concocted only to pressurise the petitioner to leave this flat for the complainant.

Notice of motion for 19.03.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C."

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5. Similarly, in *Harminster Singh* and *Sourav Walia's* cases, this Court vide orders dated 10.01.2020 & 03.02.2020 respectively, while issuing notice of motion granted interim bail to them.
6. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation and that they are not wanted in any other case.
7. Having regard to the aforestated position, wherein all the petitioners are stated to have joined investigation and are not required for custodial interrogation and are otherwise stated to be having a clean record, all the petitions are accepted and the interim directions issued by this Court vide orders dated 29.08.2019, 16.11.2019, 10.01.2020 & 03.02.2020 are hereby made absolute subject to the condition that the petitioners 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.
8. A photocopy of this order be placed on all the connected files.

**24.02.2022**

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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking/reasoned: **Yes/No**  
 Whether reportable: **Yes/No**