

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

**CRM-M-33357-2023 (O&M)  
Date of decision : 16.08.2023**

Gurjit Singh

...Petitioner(s)

*Versus*

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Sant Pal Singh Sidhu, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab for the respondent.

Mr. Jagtar Singh, Advocate for  
Mr. Dinesh Trehan, Advocate for the complainant.

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**MAHABIR SINGH SINDHU, J.**

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.29 dated 08.06.2023, under Sections 326, 324, 323, 34 of the Indian Penal Code, 1860, registered at Police Station Arif Ke, District Ferozepur.

(2) Above FIR was registered on the basis of statement made by complainant-Harpal Singh with the allegations that on 05.06.2023 at about 7:30/08:00 PM, when he was preparing boundary of his fields, Gurjit Singh (petitioner), armed with *Kirpan* and co-accused Maura Singh, armed with

*Kappa* came towards him while uttering abuses. Petitioner-Gurjit Singh raised *lalkara* that he would be taught a lesson for demolishing the common boundary and gave *Kirpan* blow on the palmer aspect of the right hand of complainant. Maura Singh gave *Kappa* blow on the elbow of right arm of the complainant and due to that, he fell down. Thereafter, both accused gave kick blows on his back, legs and arms. On raising alarm by the complainant, one Rajwinder Singh and other ladies came there. Then, both accused fled away from the spot.

(3) This Court, vide order dated 14.07.2023, granted interim bail to petitioner and the same reads as under:-

*“Contends that as per version of the complainant itself, alleged occurrence had taken place on 05.06.2023 and present FIR was registered after a delay of 03 (three) days on 08.06.2023. Further contends that petitioner as well as complainant side are known to each other and they jointly purchased some land in the year 2017. Again contends that both sides entered into an oral partition and on the basis thereof, they are cultivating their respective shares since then. Lastly contended that present FIR has been lodged in order to pressurize the petitioner side to exchange the land in question, which they did not agree.*

*Notice of motion.*

*Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.*

*Mr. Dinesh Trehan, Advocate, causes appearance on behalf of the complainant.*

*Posted on 31.07.2023.*

*In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of*

*hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”*

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Balwant Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 14.07.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(9) Disposed off accordingly.

**August 16<sup>th</sup>, 2023**  
Gagan

**( MAHABIR SINGH SINDHU )**  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |