

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49960-2022
Date of Decision:-25.04.2023

DHARAMPAL SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Dinesh Trehan, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

Mr. P.S. Tur, Advocate for
Mr. Mohd. Yousaf, Advocate
for the complainant.

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KARAMJIT SINGH, J. (Oral)

1. Prayer is for grant of anticipatory bail in case having FIR No.194 dated 5.10.2022 registered under Sections 307, 324, 323, 148, 149, 506 IPC at Police Station Sadar, District Jagraon.
2. The allegations in nut-shell are that prior to the present occurrence, quarrel took place between Santokh Singh and Amritpal Singh on 26.9.2022 and the parties assembled on 29.6.2022 to settle the

dispute in the house of Jagjit Singh, Sarpanch and when the talks of compromise were going on, Jethu Singh raised *Lalkara* and gave fist blow on the left eye of complainant Hardev Singh and then Hardeep Singh caught Santokh Singh from back side of his neck and Sukhwinder Singh @ Gollu took out his Siri Sahib and gave its blow in abdomen of Santokh Singh and then Hardeep Singh started giving fist blows to complainant and Santokh Singh. Gurdeep Singh gave *Kirch* blows on the right thigh of the complainant and thereafter Jagjit Singh *Sarpanch* and other persons intervened and when complainant was leaving the spot, petitioner-Dharampal Singh started pelting stones, one of which hit on left hand of complainant and Amritpal gave fist blows to the complainant and on account of the metallic bracelet worn by Amritpal, complainant suffered injury on his right thumb.

3. Counsel for the petitioner submits that the petitioner-Dharampal Singh has been falsely implicated in the present case and even otherwise only simple injuries are attributed to him and he has joined investigation with the police by virtue of previous order of interim bail passed by the Coordinate Bench of this Court.
4. The present petition is opposed by the counsel for the complainant, who submits that co-accused Jethu Singh raised Lalkara and then co-accused Hardeep Singh caught Santokh Singh from backside of his neck while co-accused Sukhwinder Singh and Gurdeep Singh caused injuries to Santokh Singh and complainant with sharp edged weapons and even Amritpal Singh also attacked complainant and his

brother and the petitioner pelted stones and caused injury on left hand of the complainant.

5. State counsel on instructions from ASI Sher Singh apprised the Court that petitioner has joined the investigations and is not required by police for further investigation or for custodial interrogation.
6. Only simple injuries are attributed to the petitioner, who has already joined investigation with the police and is not required for any further investigation by the police. Admittedly main accused Sukhwinder Singh and Gurdeep Singh are already arrested by the police as has been apprised by the State counsel. In the given circumstances, no purpose is going to be served by sending the petitioner behind the judicial bars or for custodial interrogation. Thus, without commenting on the merits of the case, the present petition is hereby allowed and order dated 29.10.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

25.04.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No