

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-4906-2024 (O&M)
Date of Decision:- 28.02.2024

Gurjant Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harpal Singh Sidhu, Advocate, for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
181	28.11.2023	Kot Ise Khan, District Moga	323, 324, 34 IPC (Section 326 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
- Learned State counsel has today filed short reply by way of affidavit of Mr. Amarjit Singh, Deputy Superintendent of Police, Dharamkot, District Moga. The same is taken on record.
- The FIR in question was lodged at the instance of Tarsem Singh wherein it is alleged that on 19.11.2023 on account of a dispute regarding movement of truck in a passage, Gurjant Singh (petitioner), Gurdit Singh, Dilbag Singh, Manjinder Kaur and Harvinder Kaur

inflicted injuries to him. It is alleged that the petitioner who was armed with a 'sword' inflicted an injury on the left hand of the complainant. It is the case of the prosecution that the said injury was found to be a grievous injury.

4. Learned counsel for the petitioner submits that it is a case of cross-versions, wherein as many as 2 persons on the side of the petitioner had sustained injuries and that while petitioner's father Balkar Singh had sustained 4 injuries, petitioner's brother Gurdit Singh sustained 2 injuries and that one of the injuries sustained by Balkar Singh on the forearm was opined to be a grievous injury. It has been submitted that since, complainant Tarsem Singh had sustained only 2 injuries including one grievous injury on hand, it is apparent that it is complainant Tarsem Singh and others who were the aggressors inasmuch as two persons from the side of the petitioner party were injured who had sustained a total of 6 injuries.
5. Opposing the petition, learned State counsel submits that since there are specific and categoric allegations against the petitioner who is specifically named in the FIR, no case for grant of bail is made out.
6. This Court has considered the rival submissions.
7. It is not in dispute that it is a case of cross-versions wherein two persons from the side of the petitioner had sustained as many as 6 injuries including one grievous injury. Both the injuries allegedly sustained by the complainant are on non-vital part. Under these circumstances, it will be debatable as to which of the party was the aggressor. The petitioner is not wanted in any other case. The

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

28.02.2024

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(GURVINDER SINGH GILL)
JUDGE

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