

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16020-2024
Date of Decision.:09.04.2024

Jaswinder Singh
State of Punjab

Vs.

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.173 dated 25.10.2023 registered under Sections 323, 452, 148, 149 of the IPC (Sections 325 & 308 of the IPC added later on) registered at Police Station Shahkot, District Jalandhar (Rural).

2. Status report by way of an affidavit of Shri Amandeep Singh PPS, Deputy Superintendent of Police, Sub Division Shahkot, Jalandhar has been filed on behalf of respondent- State.

3. FIR was registered on the statement of Jasvir Kaur as per which on 22.10.2023 she and her son Harjinder were present at their house when at about 07:30 p.m. accused Jagdeep Singh, petitioner Dolli @ Jaswinder Singh accompanied by 10-12 unknown persons armed with various kinds of weapons entered the house and started beating them. Injury attributed to the

petitioner is with a sword on her left hand. Other attribution to the petitioner is on the shin of the left leg of Harjinder.

4. Learned counsel for the petitioner contends that co-accused Ravi Kumar and Lovepreet Kumar have already been allowed the benefit of anticipatory bail by the Court of learned Additional Sessions Judge, Jalandhar vide order dated 12.03.2024. Other co-accused Jagwinder Singh, Joginder Singh and Paramjit were allowed the similar benefit on 17.02.2024 and Jagroop Singh @ Supa, who is the main accused has been allowed regular bail by the Court on 11.03.2024.

5. Learned counsel for the petitioner further contends that two injuries are attributed to the petitioner and both of them are simple in nature as per the police report itself. Learned counsel has also drawn attention towards the fact that though injury to the complainant is attributed to the petitioner to have been caused by sword i.e. sharp edged weapon but in the MLR pertaining to the complainant, no injury by sharp edged weapon is mentioned.

6. Opposing the petition, learned State counsel submits that as per the X-ray report, injury attributed to the petitioner is found to be grievous in nature.

7. Without commenting anything on the merits of the case, and also considering the apparent contradiction in the oral statement of Jaswinder and the MLR, the present petition is hereby accepted, subject to joining the petitioner in the investigation of the case.

8. It is directed that in the event of arrest of the petitioner, he shall be released on bail subject to the satisfaction of the Arresting

Officer/Investigating Officer. However, it is directed that petitioner shall not contact any person associated with the case to influence him during trial in any manner whatsoever; nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

April 09, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No