

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18306-2024

Decided On: 16.04.2024

HARPREET SINGH

.....PETITIONER(s)

Versus

STATE OF PUNJAB

.....RESPONDENT(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.(Oral)

1. This is the petition under Section 438 Cr.P.C., praying for anticipatory bail in case FIR No.20 dated 08.03.2024 under Section 307, 427, 506, 34 IPC, registered at Police Station Dhanaula, District Barnala.
2. Learned counsel for the petitioner *inter alia* contends that he has been falsely implicated in the instant case for allegedly threatening and inflicting head injuries on the person of Narinder Singh @ Tindi, who was posted at Badbar Toll Plaza. It has been further submitted a fabricated case having been planted upon the petitioner is evident from the fact that the occurrence in question took place on 05.03.2024, however, the FIR was lodged only on 08.03.2024, coupled with the fact that there was no medical evidence on record to invite the mischief of an offence under Section 307 IPC.
3. I have heard learned counsel for the parties and perused the material placed on record.

4. It would be apposite to reproduce the allegations levelled in the FIR, which has been annexed as Annexure P-1:-

“On dated 05.03.2024 I along with my staff were present at Badbar Toll Plaza in relation to routine duty, meanwhile it was time around 5:50 PM one vehicle make Scorpio of white color bearing registration no. PB-13BG-2875 came from village Badbar side and halted at Toll plaza and the person sitting on the driver and conductor seat of the said vehicle told me and Gurdeep Singh son of Darshan Singh resident of Kunra who was working as ticket collector at toll Plaza that we will not pay the Toll Tax, we are residing in locality i.e. Dhanuala, on which I called Narinder Singh @ Tindi son of Visakha Singh resident of Bangehar Patti Dhanaula to the spot who is doing LA duty in relation to Dhanaula and he was present at his duty at Badbar Toll Plaza. I told him that they are residents of Dhanaula, on which said Narinder Singh @ Tindi asked the driver of said Scorpio vehicle that in which patti (Area) of Dhanaula you are residing? Then the driver and the young person sitting on the conductor seat of said vehicle replied that who are you to stop us? We will not pay any Toll Tax then said Narinder Singh @ Tindi was standing ahead of the Angle (barricades) installed at the Toll Plaza and he told that kindly pay the toll tax first then the driver and the person sitting on the conductor seat of the said vehicle in a threatening manner told to said Narinder Singh @ Tindi that you move to one side otherwise we will kill you by running vehicle over you, meanwhile the person sitting on the conductor seat told to the driver of said vehicle that ‘Harpreet run over him’ then the driver of

the said Scorpio vehicle by immediately breaking the front angle (Barricade) and with intention to kill said Narinder Singh @ Tindi ran vehicle over him and dragged him and threw him ahead and thereafter they along with their vehicle ran away towards Dhanula side. Thereafter I along with the staff of our Toll Plaza reached at the spot and picked up said Narinder Singh @ Tindi, who told us that there seems to be some serious injury on the back side of my head and my head is severely paining. On which we arranged a vehicle and brought said Narinder Singh @ Tindi to Civil Hospital Dhanaula for treatment. Where the doctor provided first Aid and referred him to Civil Hospital Barnala, where his family members were also reached and here the doctors conducted check-up and referred him further after conducting his CT scan due to his head injury. Thereafter on the same night we got him admitted to Arora Neuro Centre Hospital, Mall Road Ludhiana and where he is undergoing treatment. I can identify the driver namely Harpreet Singh and the unknown person sitting on the conductor seat of the said vehicle make Scorpio if they are brought before me. We have also the CCTV Footage of Cameras installed at the place of incident i.e. Toll Plaza, I will also produce the same before your good self. Kindly take action against the driver namely said Harpreet Singh and the unknown person sitting on the conductor seat of the said vehicle make Scorpio.”

5. A perusal of the above reproduced allegations prima facie reveals that there are serious and specific allegations levelled against the petitioner, who was driving the vehicle in question at the relevant time. The petitioner allegedly

rammed his vehicle into Narinder Singh after he was asked to pay the toll plaza fee. After hitting injured Narinder Singh with his vehicle, the petitioner dragged him over a significant distance resulting in Narinder Singh receiving severe head injuries. Furthermore, the CCTV footage, prima facie corroborates the allegations levelled in the FIR in question. The petitioner is not only stated to be visible in the CCTV but he has also been specifically named in the FIR in question. This Court cannot also lose sight of the criminal antecedents of the petitioner as admittedly he is involved in multiple criminal cases.

5. In the facts and circumstances enumerated hereinabove, the petitioner does not deserve the extraordinary concession of anticipatory bail.
6. Accordingly, the instant petition stands dismissed.
7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.04.2024

Aman Dua

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No