



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

CRM-M-25913-2024

Date of Decision: May 22, 2024

Gurbhej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Akhilesh Vyas, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for anticipatory bail in case FIR No.0005 dated 16.01.2024, under Sections 296, 336, 323, 148, 149 of IPC (Sections 324 and 326 IPC added later on), registered at Police Station Ramdas, District Amritsar Rural.

2. As per the prosecution allegations, on 14.02.2024, annual Nagar Kirtan dedicated to Maghi day was being conducted under the leadership of Panj Pyaraya, pursuant to the resolution of the Committee Members of Gurudwara Tahli Sahib of village Samrai. There was direction that no tractor without trolley will participate in the Nagar Kirtan. It is alleged that Simranjit Singh of village Kalomahal drove his tractor 855, though the committee forbade him. However, said Simranjit Singh alongwith his companions started creating hoolganism by chasing the tractor behind different trolleys participating in the Nagar Kirtan. When Palki Sahib reached in front of village Kalomahal gate, all of them took tractor on full speed and made a cut in front of Palki Sahib and stood on the side. Simranjit Singh and his companions, including the petitioner, carrying different kinds

of weapons, tried to hurt the servants of the Palki Sahib, serving in the Nagar Kirtan in the presence of Palki Sahib and gave injuries to them. At that time, petitioner - Gurbhej Singh was armed with *datar*. All of them not only disrespected Shri Guru Granth Sahib, but created an atmosphere of terror in the congregation of the Nagar Kirtan.

3. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that FIR has been lodged after 02 days delay on false allegations; that earlier petitioner had been given beatings by the complainant party regarding which he had made complaint to the S.H.O. on 19.08.2023, but no action was taken. Learned counsel contends that petitioner is ready to join investigation and so he be allowed bail.

4. Notice of motion.

5. Mr. Vinay Kumar Malhotra, DAG, Punjab accepts notice on behalf of respondent-State.

6. By pointing out towards the nature of the allegations against the petitioner as mentioned in the FIR, learned State counsel has opposed the bail petition by submitting that custodial interrogation of the petitioner will be required in order to effect the recovery of the weapon used in the crime.

7. After hearing learned counsel for both the sides, looking into the nature of the allegations made in the FIR and specific role attributed to the petitioner, but without commenting anything further on the merits of the case, this Court is not inclined to grant benefit of anticipatory bail.

Dismissed.

May 22, 2024

sarita

Whether reasoned/speaking: Yes/No

(DEEPAK GUPTA)

JUDGE

Whether reportable: Yes/No