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

CRM-M-29104-2024 (O&M)

Date of Decision:- 28.08.2024

JINDER SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Barjesh K. Sharma, Advocate for petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J. (Oral)**CRM-33044-2024**

Learned counsel for petitioner has filed instant application under Section 482 Cr.P.C. for adding Section 201 of IPC by virtue of DDR No.7 dated 16.12.2022 in the head note as well as in the prayer clause of main petition in CRM-M-29104-2024.

For the reasons mentioned in the application, same is allowed. Registry is directed to make necessary correction in the petition as per amendment sought in the application.

Application is disposed of accordingly.

Main case.

1. Petitioner – Jinder Singh has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.140 dated



30.10.2022 under Sections 452, 324, 323, 148 and 149 IPC [Section 326 and 201 IPC added later-on) registered at Police Station Sadar Ahmedgarh, District Malerkotla (Annexure P-1).

2. As per the facts of the case, Gurchet Singh complainant gave his statement to the police that after the death of his brother Sudagar Singh and mother Bhagwan Kaur Sandi dispute started regarding property consisting of a room surrounded with walls. Civil litigation also started which was decided in his favour. On 28.10.2022 his wife Sukhwinder Kaur, son Jasveer Singh and daughter Mehakpreet Kaur were cleaning the house for celebration as the Court had decided the case in their favour. At about 8 am, Gurdeep Singh, Kamalpreet Singh and Jinder armed with iron rods, Jaswinder armed with sharp object and Gursewak Singh empty handed entered their house hurling abuses. They caused injuries to him with their respective weapons. His wife and children tried to save him. His daughter and wife also sustained injuries. Swaran Singh was present on the roof top who was shouting loudly in support of accused persons. On the alarm raised by his wife to call police, the assailants fled away from scene of crime. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He is attributed iron rod blow on right arm of the complainant. He is ready to join investigation as and when required by the police. Other co-accused Gursewak Singh, Kulwant Singh and Swaran Singh, have been granted anticipatory bail by this Court vide orders dated 01.04.2024. He is ready to join the investigation as and when required. Therefore, his anticipatory bail may be allowed.

4. Learned counsel representing State confirmed the injury



attributed to the present petitioner with iron rod, which is simple in nature. It is confirmed that offence under Section 201 of IPC has been added since the said iron rod could not be recovered.

5. I have considered the arguments and have gone through the record. Present petitioner is ready to join the investigation as and when required. He is attributed simple injury. As per learned counsel representing State, no recovery is to be effected from him. Other co-accused Gursewak Singh, Kulwant Singh and Swaran Singh have been granted anticipatory bail by this Court.

6. Considering the aforesaid facts without expressing my mind on the merits of the case, anticipatory bail filed by the petitioner is allowed. In case petitioner is arrested, he be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioner will join the investigation as and when required. He will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 438 (2) Cr.P.C.

7. The petition is, accordingly, accepted.

8. My observations are made for the disposal of this petition and it will have no bearing on the merits of case.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

28.08.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No