



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205 CRM-M-29478-2024 (O&M)
Date of Decision: 23.08.2024

GURMINDERJEET SINGH @ LADDI AND ANR

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. J.S. Sidhu, Advocate
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant first petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.42 dated 27.04.2024, under Sections 354, 323, 341, 506, 148 and 149 IPC, 1860, registered at Police Station Sadar Patiala, District Patiala.
2. Mr. H.S. Rajput, Advocate has put in appearance on behalf of the respondent No.3 and filed his power of attorney, which is taken on record.
3. Learned counsel for the petitioners *inter alia* contends that as per the contents of the FIR, the alleged occurrence took place when the petitioners were allegedly having an altercation and fight with third person namely Jaswinder Singh. Thereafter, the complainant and her daughter intervened in



their matter. He further contends that the injuries on the person of the victim are simple in nature.

4. On 06.06.2024, this Court passed the following order and directed the petitioner No.2 to join the investigation, as no grievous injury was related to petitioner No.2:

‘1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 42, dated, 27.04.2024, registered at Police Station Sadar, District Patiala, under Sections 354, 323, 341, 506 and 148 of the IPC read with Section 149 thereof.

2. Learned counsel for the petitioners inter alia contends that the petitioners have been falsely implicated in this case. Even as per the medico- legal report dated 01.04.2024, no grievous injury was found on the person of the complainant and her daughter. The injuries are superficial in nature. The petitioners are ready to join the investigation.

3. Notice of motion.

4. On advance notice, Mr. Malkit Singh Dhillon, D.A.G., Punjab, appears on behalf of the respondent-State and seeks time to place on record the medical evidence.

5. As per the paper-book, it has been noticed that petitioner No.1- Gurminderjeet Singh @ Laddi has been attributed specific injuries to the complainant including snatching of the gold earrings and there are also allegations that her ears started bleeding due to the same. Apart from this, there are allegations that he had torn the shirt of the complainant. A copy of the MLR of the complainant shows that there are some injuries on the chest of the complainant, as well as on the ears. The injury on the ears was referred for radio-logical examination. However, the complete report is not available.

6. It has been further noticed that no grievous injury has been attributed to petitioner No. 2-Gurmeet Singh @ Mithu

7. Adjourned to 02.07.2024.

8. In the meanwhile, in the event of arrest of petitioner No. 2- Gurmeet Singh @ Mithu, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-

(i) That petitioner No. 2 shall further make himself available for interrogation by a police officer as and when required.

(ii) That petitioner No. 2 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That petitioner No. 2 shall not leave India without the prior permission of the Trial Court/CJM concerned.’

5. Short reply by way of an affidavit of Gurpartap Singh, PPS, Deputy Superintendent of Police, Rural, District Patiala along with the



documents filed on behalf of the respondent-State are taken on record.

6. Learned State counsel has confirmed that the petitioner No.2 has joined the investigation on 12.06.2024 in terms of the order dated 06.06.2024 passed by this Court and his custodial interrogation is not required.

7. Consequently, the petition with regard to petitioner No.2 is allowed and the order dated 06.06.2024, granting interim bail to the petitioner No.2 is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

8. So far as the role attributed to petitioner No.1 is concerned, he is alleged to have inflicted serious injuries including snatching of the gold articles. It is also an allegation that the ear of the victim started bleeding due to the said snatching.

9. Learned State counsel has submitted copy of the Medico Legal Report and MRI of the victim-Amandeep Kaur in the Court today, which are taken on record. As per Medico Legal Report, there are 4 injuries reported. As per the MRI, following conclusions have been made:

‘Supraspinatous tendinopathy.
Coraco-humeral ligament impingement.
Coraco-acromial ligament impingement.
Mild fluid collection in subcoracoid, subacromial, subdeltoid and gleno-humeral bursa.
Acromio-clavicular joint arthritis.
F/s/o Frozen shoulder / adhesive capsulitis.’

10. Though as per the short reply, final opinion regarding the nature of the injuries could not be obtained as the victim left the hospital against the medical advice (LAMA) on 02.04.2024, as such MLC XRAY and MLC XRAY report could not be made available, however there are specific allegations against the petitioner No.1 and the injuries are also corroborated as



per the Medico Legal Report.

- 11. In view of the above facts and circumstances, the petitioner No.1 is not entitled for concession of anticipatory bail.
- 12. Consequently, the petition qua petitioner No.1 is dismissed.
- 13. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
- 14. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23.08.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No