



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30221-2024 (O&M)
Date of Decision:- 17.07.2024

Sukhchain Singh @ Akash Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hardial Singh Batth, Advocate, for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab,
assisted by ASI Daler Singh.

Mr. Vivek Singh, Advocate, for
Mr. Vikas Gupta, Advocate for the complainant.

FIR NO.	DATE	POLICE STATION	OFFENCES
47	28.4.2024	City Patti, District Tarn Taran	326, 323, 324, 341, 506, 148, 34 IPC (Section 326 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Arshdeep Singh wherein it is alleged that on 25.4.2024 when he was going towards Grain Market,



then one boy namely Shiva who was carrying a 'stick' stopped him and gave a blow with stick to him, but he managed to catch the stick. A quarrel ensued thereafter and Shiva called Satnam Singh who came to the spot armed with '*Khanda*' along with one Akash who was carrying a 'stick'. It is alleged that Satnam Singh inflicted 4 blows with '*Khanda*' to the complainant including 3 on his head. It is alleged that Akash also inflicted blows with a 'stick' to the complainant. It is further alleged that Shiva snatched ear rings, diamond chain and bracelet worn by the complainant.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that although the petitioner is alleged to have inflicted blows with 'stick' to the complainant, but a perusal of the MLR would show that only 4 injuries are recorded therein and which are in fact the 4 injuries which had been caused by co-accused Satnam Singh and all the 4 injuries are opined to have been inflicted with a sharp edged weapon and none of the injuries opined to have been caused by blunt edged weapon like a 'stick' alleged to be carried by the petitioner.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant submitted that since the petitioner was accompanying the main accused Satnam Singh who inflicted 4 injuries with a sharp edged weapon, the complicity of the petitioner would be clearly evident even if the MLR does not reflect any injury



caused by the petitioner. State counsel has informed that the petitioner, otherwise is not involved in any other case.

- 5. This Court has considered the rival submissions.
- 6. Having regard to the fact that the allegations pertaining to causing of injuries by the complainant with a ‘stick’ are not borne out from the MLR, presence of the petitioner could be debatable. The petition, as such, merits acceptance and is hereby accepted and in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.
- 7. It is however, clarified that the observations made above are only for the purpose of disposal of this petition adn shall not be treated as any kind of expression on the merits of the main case.

17.07.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No