



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

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CRM-M-30486-2024

Date of decision: 24.10.2024

Simranjit Singh @ Goldi

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Harlover Singh Rajput, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Mr.R.K.Girdhar, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. Petitioner in the instant petition filed under Section 438 of the Cr.P.C. is seeking the grant of anticipatory bail in case FIR no.343, dated 18.12.2023 under Sections 307, 324, 323, 34 of the IPC, 1860, registered at Police Station City Tarn Taran (Annexure P-1)

2. Vide order dated 18.07.2024, after noticing the following submissions of the learned counsel for the petitioner, this Court had directed the petitioner to join the investigation.

“Learned counsel for the petitioner, at the outset, submits that though challan has been presented qua the co-accused in the FIR in question, the petitioner has not been challaned.”

3. Learned counsel for the petitioner has reiterated the submissions made on the previous dates of hearing. It has been submitted that the petitioner has been falsely implicated in a case of version and cross-version wherein admittedly, both the parties sustained injuries at the



hands of each other. While drawing the attention of this Court to DDR annexed as Annexure P-3, learned counsel submits that his false implication in the case in hand finds credence from the fact that there was a delay of more than four days in recording the DDR in question wherein the petitioner was attributed a role in the crime in question. While further drawing the attention of this Court to the alleged role attributed to the petitioner in the DDR, learned counsel has submitted that no doubt he has been attributed an iron rod blow on the head of the complainant Avtar Singh, however the petitioner's side too had received multiple injuries in the crime in question qua which an FIR had also been registered. Learned counsel submits that it was a matter of record that the petitioner had in compliance of the previous order joined investigation and cooperated with the investigating agency. It has still further been submitted that the challan has been presented by the investigating agency and the petitioner had not been challaned, and therefore his custodial interrogation would serve no useful purpose.

4. *Per contra*, learned State Counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the opposing counsel by reiterating the allegations levelled in the FIR which stand reproduced herein-under:-

"Statement of Harjit Singh son of Jagir Singh resident of Nurdi Bus Stand Tarn Taran presently residing in House No.455, New Amritsar aged around 48 years mobile no.98153-08555. Got his statement recorded that I am a resident of the aforesaid address and we are two brothers and elder one to me is Baljit Singh. We bother brothers live are together. We have a brick kiln on the Village Daleke Turn and along with that is a marriage palace



GK Resort on the Village Daleke Turn. Apart from this we also do the work of selling and buying property. Our office is located in Rohi Kande Sardar Colony. My elder brother Baljit Singh was in Tarn Taran since morning and I had gone to Amritsar in a marriage programme when at around 04:00PM I got a call from our driver Shamsher Singh @son of Lati resident of Mohalla Taank Kashtari Tarn Taran near Jhabal Bypass that a Breeza car bearing registration number PB46-AJ-7670 came and stopped outside our office and Avtar Singh Deol son of Niranjana Singh resident of Gali Tutain Wali Nurdi Bus Stand Tarn Taran and Raghubir Singh son of unknown resident of Village Nuthian Wali Tehsil Patti District Tarn Taran, Manjit Singh resident of Jhabal, Pargat Singh Mason son of unknown resident of Street No.4, Deep Avenue Tarn Taran and an unknown person came out and have gone on our owned land and plots and these people earlier also used to harass us. So you come soon and I reached our property dealer office in Rohi Kande after 10 minutes then I saw that Avtar Singh Deol carrying Nepali knife, Raghubir Singh carrying 1.5 inch sword, Pargat Singh carrying iron rod Manjit Singh carrying iron weapon and unidentified person carrying wooden XXXX by coming outside our office and Avtar Singh by raising lalkara said that teach Baljit Singh and his brothers lesson of taking possession on the land and kill him today and Raghubir Singh attacked with his 1.5 feet sword with an intention to kill my brother Baljit Singh who was standing outside the office which hit him on the head and blood started coming out of the head of my brother and Avtar Singh attacked my brother Baljit Singh with intention to kill him with his Nepali weapon which also hit him in the middle of his head. During this time Pargat Singh attacked with his iron rod on my brother which hit him on the back side of neck and the unknown person attacked my brother with his wooden weapon which hit him on his right knee and my brother fell down on the ground unconscious. During this time Raghubir Singh attacked my brother with his 1.5 feet sword as he remained fallen down and our driver Shamsher Singh by moving forward to save my brother tried to stop the attack with his left hand then the sword stuck on the left hand and Manjit Singh attacked Shamsher Singh @ Veero with the back side of his



weapon which hit him on his left arm and pargat Singh attacked Shamsher Singh @Veero with his iron rod which hit him in the middle of his head. I saw all this while parking the car and getting down through my eyes After getting down from the car I shouted out then the accused while sitting in the Breeza car along with their weapons went towards Tarn Taran City. The reason of grudge is that Astar Singh Deol and his accomplices wanted to take money from us in lieu of our possession on the land by black mailing us and harassing us which we were not giving in lieu of which they all in collusion with each other have seriously injured my brother Baljit Singh and our driver Shamsher Singh @Veero with their weapons with intention to kill them. I got my brother Baljit Singh and Shamsher Singh @Veero admitted in Government Hospital Tarn Taran for treatment by arranging a vehicle where the doctor due to my brother being more serious refereed him to Amritsar who is under treatment in Apex Hospital Batala Road Amritsar and is in unconscious state. I have got the statement recorded due to having seen all this with my eyes and being witness of the spot. I am the claimant so action be initiated. SD/- Harjeet Singh, Harjeet Singh aforesaid attested Dilbagh Singh ASI PS City TT 18.12.2023.”

5. It has been contended that it is evident that there are serious allegations against the petitioner, Simranjit Singh @ Goldy, who struck the complainant Avtar Singh on the head with an iron rod, causing him to collapse at the spot. It has still further been submitted that the delay in recording the DDR would not come to the rescue of the petitioner as it is a matter of record that the injured was medico legally examined properly on the same day and the medical evidence corroborates the allegations levelled in the FIR. Learned State Counsel has further apprised this Court that no doubt, in compliance with the order dated 18.07.2024, the petitioner had joined the investigation on 28.07.2024 however, during interrogation, the petitioner had not co-operated and even failed to recover the weapon used



in the commission of the said offence, leading to the addition of an offence under Section 201 of the IPC. Learned State counsel still further has submitted that after completion of the investigation against the other co accused, the challan stands presented against them, however the investigation qua the petitioner is yet to be completed for which his custodial interrogation is required.

5. I have heard learned counsel for the parties and have perused the relevant material placed on record.

6. *Prime facie* there are serious and specific allegations against the petitioner of inflicting injuries on the head of the complainant with an iron rod which as per learned State counsel finds medically corroborated. Still further, as apprised by the learned State counsel, the custodial interrogation of the petitioner is required by them for the completion of the investigation of the case in hand.

7. In view of the specific allegations levelled against the petitioner, this Court does not deem it fit to extend the grant of concession of bail to the petitioner. Accordingly, the instant petition is hereby dismissed. 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.

October 24, 2024
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(MANJARI NEHRU KAUL)
JUDGE

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