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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-31395-2024
Date of Decision:-07.08.2024

ANGREJ SINGH AND ANOTHER

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Manpreet Singh, Advocate, for the petitioners.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Ranwant Singh, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

Learned counsel for the State has filed additional affidavit dated 06.08.2024 of Deputy Superintendent of Police Dharamkot, the same is taken on record. Copy thereof, has been supplied to the counsel opposites.

2. By way of the present petition filed under Section 438 Cr.P.C the petitioners are praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
0069	23.05.2024	323, 324, 148, 149 IPC (325 and 326 IPC added later on)	Kot Ise Khan, District Moga

3. Brief facts of the case are that the FIR in question was lodged



on the statement of complainant Gurpreet Singh stating that on 20.05.2024 at about 7:00 PM, he along with his brother Manpreet Singh and nephew Gursahaj Singh were returning back to their house after completing work on their field. When they reached near the village, then Harman Singh, Harbhajan Singh, Balvir Singh, Angrej Singh, Hardeep Singh along with three/four unidentified persons armed with deadly weapons started beating them without any reason. Harbhajan Singh alias Manpreet Ghali gave iron sword blow on left arm of his nephew Gursahaj Singh and remaining accused caused grievous injuries on the head of Gursahaj Singh. Harman Singh gave another sword blow on the back side of his head and even inflicted injuries on his body. Balvir Singh gave iron khanda blow which hit on the head of Manpreet Singh. Thereafter, Angrej Singh gave sword blow on the head of Manpreet Singh. Hardeep Singh and Angrej Singh also gave sword blows which hit on the head of Gursahaj Singh. On hearing hue and cry, people gathered at the spot and the assailants fled away with their weapons. The injured were shifted to the hospital.

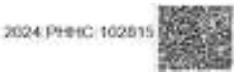
4. Learned counsel for the petitioners *inter alia* contends that the petitioners are innocent and have been falsely been implicated in this case. He contends that complainant party are very influential persons and caused injuries to the family members of the petitioners but the police had only lodged case against them. He submits that complainant party inflicted injuries upon Harbhajan Singh and as per Medical Legal Report dated 21.05.2024 (Annexure P-2) he received four injuries and out of them injury No.1, 2 and 4 are sharp in nature. He submits that petitioners are ready to



join the investigation, as such prays for grant of concession of anticipatory bail to the petitioners.

5. *Per contra*, learned State counsel assisted by learned counsel for the complainant has assailed these arguments by referring to the reply dated 06.08.2024 and 23.07.2024 and contends that as per Medico Legal Reports there are three injuries on the person of Manpreet Singh and out of that injury no.1 and 2 has been declared as grievous, whereas, there are 4 injuries on the person of Gursehaj Singh @ Gursahib Singh and out of that injury No.1 declared to be grievous in nature. They contends that as per additional affidavit dated 06.08.2024 Harbhajan Singh also received four injuries on his person, out of which injury no.3 was blunt, whereas remaining were sharp, doctor advised him for NCCT of head (Annexure R-2) but he did not turned up. They contends that custodial interrogation of the petitioners are required to recover the weapon used in the occurrence, as such, they prayed for dismissal of the present petition.

6. After considering the rival contentions and perusing the record, it transpires that there are specific allegations against the petitioners of being members of unlawful assembly armed with iron khanda and sword caused multiple injuries on the person of Manpreet Singh and Gursahaj Singh including grievous injuries. Petitioner No.1 had given sword blows on Manpreet Singh and Gursahaj Singh while petitioner No.2 gave iron khanda blow on Manpreet Singh. Keeping in view the multiple injuries caused on the persons of the injured including the injuries on the vital part of the body, coupled with the fact that weapons used in the crime are yet to be recovered



from the petitioner for which custodial interrogation is required.

7. In these circumstances, considering the nature and gravity of offence no case is made out in favour of petitioners for grant of relief of anticipatory bail therefore, finding no merit in the petition, the same is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

07.08.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |