



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

CRM-M No.34584 of 2024
Date of decision: 1st August, 2024

Sukhdeep Singh @ Sukha

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.P.S. Khaira, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

Mr. P.B.S. Goraya, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.51 dated 30.05.2024 under Sections 323, 324, 506, 148, 149 of the IPC (Section 307 IPC added later on) registered at Police Station Bassi Pathana, District Fatehgarh Sahib.

2. Learned counsel for the petitioner has vehemently argued that the falsity of the allegations levelled against the petitioner is evident from the fact that the injury which is attributed to him with a Datar, could not in fact have been inflicted as Datar is a sharp-edged weapon. It has been further submitted that it was on account of a grudge, which the complainant party was nursing against one Iqbal Singh that a false and embroidered version had been brought forth in



the FIR in question. It has still further been submitted that the offence under Section 307 IPC was added by the Investigating Agency without as much as waiting for a definite medical opinion in the said regard, and the injury could also be self-inflicted one or with a friendly hand.

3. Learned State counsel, in compliance of the order dated 22.04.2024, has filed status report by way of an affidavit of Mohit Kumar Singla, PPS, DSP Sub Division Bassi Pathana today in the Court, which is taken on record subject to all just exceptions. He has drawn the attention of this Court to paragraph No.4 of the status report and has submitted that the petitioner has been specifically attributed the head injury sustained by the complainant which was a depressed fracture of right frontal bone with overlying soft tissue swelling. Besides a head injury, the petitioner had also inflicted an injury on the left bicep of the complainant.

4. Learned counsel for the complainant/respondent No.2 has submitted that in fact the petitioner was the prime accused in the present case and thus, he did not deserve to be extended the extraordinary concession of anticipatory bail.

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

6. It would be apposite to reproduce the contents of the FIR in question, which has been annexed as Annexure P-1.



“Copy of statement of Jeewandeep Singh Son of Jagdish Singh, Resident of Village Gopalon, Police Station Bassi Pathana, District Fatehgarh Sahib aged about 29 years Mob No. 97810-92380 stated that I am the resident of above said address and doing the work of Poultry Farm and am a single brother. On 28.05.2024, I along with my friend Satnam Singh and other villagers of village Gopalon were serving the Chhabeel of cold water due to excessive heat at Dera Sant Baba Sukhdarshan Singh on the occasion of the anniversary then at about 03 PM Sukhdeep Singh @ Sukha son of Paramjit Singh resident of Jawandha and Upinder Singh Sodhi resident of Gopalon and Uma Kant resident of Badwali PS Morinda, Amandeep Singh resident of Kalour and Harpreet Singh resident of Kalour and Gurinder Singh @ Guri alongwith 3-4 unknown persons were seen by me coming towards me. Sukhdeep Singh @ Sukha was holding a big datar in his hand and a sword was held in the hand of Upinder Singh Sodhi. They were threatening to kill me and were saying that they will give me the presidency today, who hit with the sickle held in his hand on the right side of my head and blood started to flow from my head and I fell down on the ground and he hit with the sickle held in his hand on the bicep of my left arm and Upinder Singh Sodhi gave a blow of sword held in his hand on Satnam Singh, who was saving me, which



hit on his right side of his neck and blood started flowing from his neck and I raised noises marta-marta and their accomplices gave fist blows to me and the people gathered there upon hearing our noises. Upon seeing the gathering of people, all these persons took their weapons and ran away from the spot while threatening to kill me and the gathering of the people caught Uma Kant and Amandeep Singh on the spot and Jaswinder Singh of resident our village, after arranging a vehicle, got us admitted to the Civil Hospital Bassi Pathana, where we are under treatment. The grudge is that I am in very close relationship with Iqbal Singh and I was helping him, due to which the above said people beat me up. I have got recorded my statement to you, heard it, it is correct. The statement was verified by Satnam Singh. Sd/-Jeewandeep Singh”

7. Prima facie, the occurrence in question does come across as a premeditated attack wherein the accused party including the petitioner came to the spot armed with lethal weapons and thereafter, attacked the complainant party. The petitioner was armed with a Datar, with which he allegedly inflicted two injuries, one on the head of the complainant and another on his left bicep.

8. In the circumstances and keeping in view the specific allegations levelled against the petitioner, he does not deserve to be



extended the extraordinary concession of anticipatory bail in this case.
The petition is 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.

(MANJARI NEHRU KAUL)
JUDGE

August 1, 2024
rps

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