

**CRM-M-35576-2024**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision : 11.11.2024

Jagjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. J.S. Dadwal, Advocate
for the petitioner.

Mr. Vinay Kumar Malhotra, DAG Punjab

Mr. A.K. Walia, Advocate
for the complainant

KIRTI SINGH, J.(Oral)

1. Apprehending arrest in FIR No.0036 dated 11.06.2024, under Sections 452, 323, 324, 506, 148 and 149 IPC (Sections 325, 326 IPC added later on) registered at Police Station Qadian, Police District Batala, the petitioner has preferred this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

2. The contents of the above-mentioned FIR are reproduced herein below :-

“Statement of Gurcharan Singh son of Mehar Singh, Resident of Dhallah Hawelian, P.S Qadian District Gurdaspur. Age Approximately 72 years. Phone No. 9463048886. Stated that I am resident of above said address and does agricultural job. On dated 08.06.2024 at about 8 P.M I alongwith my son Gurjit Singh and wife Narinder Kaur were present at home. Then cousin of Prince namely Jagjit Singh, Resident Bhoewal alongwith 2-3 unknown young persons came to pucca road which leads to Dhallah turn outside our



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house on tractor Mahindra DI 575 colour red whose silencer was modified. They were playing loud music on said tractor and there were weapons in that tractor. And were making noise by driving tractor in fast speed, giving abusing, lalkaras and our ladies were at home at that time. So we felt bad for that and went outside to stop them from doing so. I alongwith my son Gurjit Singh and wife Narinder Kaur went outside. But they did not listen us and hit our trolley which was parked into our house with his tractor. Meanwhile Baljinder Singh son of Gural Singh armed with datar, Jaswinder Kaur wife of Baljinder Singh armed with stick and Paramvir Singh @ Prince son of Baljinder Singh armed with Datar resident of Dhallah Hawelian came there and cousin of Prince namely Jagjit Singh parked his tractor and entered into our Verandah alongwith Jagjit Singh armed with Datar and 4-5 unknown young person by raising lalkaras and armed with weapons. I tried to rush into my house due to fear. As I reached near Blackberry tree in our Verandah, then Paramvir Singh gave a datar blow from its reverse side on me which hit me on the left shoulder. Then Paramvir Singh again gave a datar blow from its reverse side on me which hit me on the back. Then he gave third blow of datar on my elbow and gave fourth datar blow from its reverse side which hit me on the right wrist. I fell on the ground. As I was lying on the ground, he gave fifth blow of datar on the elbow of my left arm and sixth blow of datar on the elbow of my left arm. Then the cousin of Prince namely Jagjit Singh gave reverse blow of datar on my left elbow then my son Gurjit Singh came forward to save me but the cousin of Prince gave a datar blow to my son Gurjit Singh which hit him on the left side of forehead. Then Jagjit Singh gave second blow on the backside of the head of my son Gurjit Singh. He fell on the ground. Then one unknown person gave stick blow on the left shoulder to my son. Meanwhile another unknown person gave stick blow on the left hand of my son Gurjit Singh. Then my wife Narinder Kaur came forward to save us from the above said persons. Then Baljinder Singh gave a datar blow to my



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wife Narinder Kaur which hit on her forehead. Meanwhile Jaswinder Kaur gave stick blow on the neck of my wife Narinder Kaur. Then Jaswinder Kaur again gave a stick blow on the right shoulder of my wife Narinder Kaur. Then one unknown person gave a stick on the right hand of my wife Narinder Kaur. Then my son stood up and went inside our house and sit on the cot inside our house. all the above said persons again gave beatings to my son by entering into our house and gave him fist blows, abused him and threw bricks and stones. My nephew Malkit Singh son of Avtar Singh, resident of Dhallah Hawelian in the eye witness. My son Gurjit Singh and wife Narinder Kaur raised an alarm of Maar Ditta-Maar Ditta. On seeing people gathered there, the above said persons fled away from the spot on their tractor alongwith their respective weapons. Malkit Singh and Narinder Singh resident of Dhallah Hawelian arranged a vehicle and took me, my son Gurjit Singh and wife Narinder Kaur to Civil Hospital Batala for a treatment and admitted there. There doctor sahib gave medical and issued MLR's to me, my son Gurjit Singh and wife Narinder Kaur. Cause of grudge is that Baljinder Singh's son Paramvir Singh used to call unknown boys at his house and they parked motorcycle in the street and we stopped them from parking motorcycle into street. Due to this they injured me, my son Gurjit Singh and wife Narinder Kaur. Kindly take an action against above said persons."

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. He further submits that as per medical report no grievous injury has been attributed to the petitioner.

4. Per contra, learned State counsel submits that the petitioner along with 2/3 other unknown persons came outside his house on tractor, started playing loud music and were hurling abuses. When complainant party asked them to stop they attacked the victim party, co-accused Baljinder Singh was armed with datar, co-

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accused Jaswinder Kaur was armed with danda, co-accused Paramvir Singh was armed with datar and the petitioner was also armed with datar. They forcibly entered the house of co-accused Paramvir Singh and gave multiple datar blows, thereafter, petitioner gave multiple datar blows on head and neck of son of complainant and others also inflicted injuries. He further submits that one of the injuries attributed to the petitioner is grievous in nature and his custodial interrogation would be required to carry out the effective investigation and if granted the relief of pre-arrest bail, the petitioner may hamper or interfere in the investigation.

5. Heard the rival submissions made by learned counsel for the parties and perused the record.

6. There are serious allegations leveled against the petitioner. One of the injury attributed to the petitioner is grievous in nature and he has been specifically named in the FIR. Accordingly, to unearth the true dimension of the alleged crime, this Court does not deem it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner at this stage.

7. The petition is dismissed.

8. Needless to mention that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.11.2024

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**(KIRTI SINGH)
JUDGE**

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