



CRM-M-36621-2024 (O&M) - 1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208+101

CRM-M-36621-2024 (O&M)
Date of decision: 22.11.2024

SURINDER KUMAR @ SHINDER

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prikshit Thakur, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Satnam Thakur, Advocate with
Mr. Abhinav Mahant, Advocate for
Mr. Anshul Sharma, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

CRM-45324-2024

1. The present application has been filed on behalf of the petitioner for placing on record the amended petition.
2. Learned counsel for the applicant/petitioner submits that earlier in para No.15 of the petition, other cases pending against the petitioner were not mentioned. However, in the amended petition all the cases pending/already registered against the petitioner are mentioned.



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3. In view of the above, the application is allowed.
4. Amended petition is taken on record subject to all just exceptions.
Office to tag the same at appropriate place.

Main case

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.156 dated 07.06.2024 under Sections 323, 452, 354, 506, 148, 149 IPC registered at Police Station Phillaur, District Jalandhar Rural.
2. Learned counsel for the petitioner submits that though there are 8 other FIRs having been registered against the petitioner but he has been acquitted in 6 FIRs and FIR No.13 dated 13.01.2014 registered under Sections 325, 326, 452, 323, 325, 342, 506, 148, 149 IPC at Police Station Phillaur, District Jalandhar has been quashed on the basis of compromise by the Coordinate Bench of this Court vide order dated 15.02.2023 passed in CRM-M-54378-2018.
3. Learned counsel for the petitioner further contends that the petitioner is on bail in case bearing FIR No.32 dated 04.06.2019 registered under Sections 406, 420 IPC at Police Station Bilga. He submits that the petitioner has joined the investigation in compliance of the order dated 14.08.2024 passed by this Court. He further submits that all the injuries are simple in nature.
4. Learned State counsel as well as learned counsel for respondent No.2 have opposed the bail petition on the ground of gravity of allegations against the petitioner.
5. I have heard learned counsel for the parties and perused the relevant documents.



6. The FIR was registered at the instance of the complainant with the allegations that on 19.05.2024 at about 8.45 pm, she along with her family members were present in their house. When they heard somebody knocking the door, Balvir Kumar-brother-in-law of the complainant opened the gate. At that time, the complainant was coming downstairs. The petitioner armed with a stick along with his co-accused forcibly entered the house of the complainant. The petitioner is alleged to have dragged the complainant from her hair while she was stepping down the stairs. The petitioner is alleged to have inflicted stick blows to the complainant on her back and on her left arm. The alarm raised by the complainant attracted her husband and brother-in-law, who were also given injuries by the accused. The husband of the complainant was inflicted injury on his chest with sharp edged weapon and the shirt of the complainant was also torn. The husband of the complainant raised an alarm, as such, the petitioner along with his co-accused ran away from the spot.

7. Both the injuries on the person of the complainant are attributed to the petitioner. As per the copy of Medico Legal report dated 19.05.2024 (Annexure P-2), injury No.1 is on the back side of chest whereas injury No.2 is on the left arm.

8. Keeping in view the specific allegations against the petitioner and also noticing that another FIR No.32 dated 04.06.2019 registered under Sections 406, 420 IPC at Police Station Bilga is still pending against the petitioner, the petitioner is not entitled for concession of anticipatory bail.

9. Consequently, the petition stands dismissed.

10. Interim order dated 14.08.2024 stands vacated.



11. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
12. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

22.11.2024
P.Bhatt

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