



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M No.37378 of 2024
Date of decision: 13.09.2024

SUKHJINER SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. S.S. Sandhawalia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. The present petition has been filed by the petitioner seeking grant of anticipatory bail in case FIR No. 32 dated 30.05.2024 registered under Sections 452, 323, 148, 149 and 506 of IPC, 1860 at Police Station Sadiq, District Faridkot.

2. Vide order dated 05.08.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 05.08.2024, passed by this Court, reads as under:

“Prayer in this petition has been made by the petitioner for grant of pre-arrest bail in case arising out of FIR No. 32 dated 30.05.2024 registered under Sections 452, 323, 148, 149 and 506 of IPC, 1860 at Police Station Sadiq, District Faridkot on the basis of statement of complainant Bhagat Singh recorded on 30.05.2024 alleging therein that on 27.05.2024, the engagement ceremony of his son Gurpreet Singh had been performed at his house. Jugraj Singh and his son Happy Singh had already come to



his house 7-8 days before the ceremony. At the time of engagement ceremony, Happy Singh under the influence of liquor, had been creating nuisance, therefore, he had been sent back to his house. After performance of engagement ceremony, all the relatives had gone. On the same night at about 10:45 PM, when the complainant along with his family members was sleeping in his house, then the accused Jugraj Singh along with his three sons namely Sukhjinder Singh i.e. the petitioner, Happy Singh and Kulwinder Singh accompanied by 13-14 unknown persons who were having muffled faces came on motor bikes and forcibly entered inside his house. They started hurling abuses to them and then Jugraj Singh, Sukhjinder Singh and then while raising an exhortation to teach the complainant and his family members a lesson for turning out his son Happy Singh from his house, the accused Jugraj Singh opened an attack upon the complainant. The petitioner and co-accused Kulwinder Singh and Happy Singh also started assaulting the complainant and his family members. They sustained injuries and were admitted to the hospital. He prayed for taking penal action against the culprits.

Initially, a DDR No. 30 was registered on 30.05.2024 under Sections 323 read with Section 34 of IPC. Subsequently, offences under Sections 148, 149, 452 and 506 of IPC were added. Investigation is under way and offence under Section 452 of IPC has also been added now. Apprehending his arrest, the present petitioner had moved an application for grant of



anticipatory bail which has been dismissed by learned Additional Sessions Judge, Faridkot.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, co-accused Happy Singh who is only sixteen years old boy had consumed liquor on the fateful evening and by mistake, had broken a matka in the house of the complainant which was considered to be inauspicious and Happy Singh was not only beaten up by the members of the complainant party but also locked up in a room with his hands tied and when the accused Jugraj Singh came to know about this fact, then he along with his children including the petitioner and some other villagers had gone to the house of the complainant to save his son. A verbal altercation had taken place. The family of the petitioner had also got registered a cross case under Section 323 read with Section 34 of IPC on the same day and even the petitioner had sustained injuries and was admitted in hospital. He is ready to join the investigation. No specific injury had been attributed to him. The injuries, if any, were caused in self defence to the members of the complainant party, he is ready to join the investigation. His custodial interrogation is not required. The subject offences are triable by Magistrate.

Notice of motion.

On asking of the Court, Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to file status report. Adjourned to 13.09.2024. In the



meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C. ”

3. Learned State counsel has filed the status report. The same is taken on record. He, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 12.08.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 05.08.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Analogous to Section 438(2) of the Code of Criminal Procedure.

13.09.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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