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

CRM-M-38061-2024

Date of Decision:- 25.09.2024

MANPREET SINGH AND ANR

....Petitioners

Vs.

STATE OF PUNJAB

...Respondent

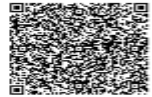
CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jupinder Pal Singh Brar, Advocate for petitioners.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioners – Manpreet Singh and Gurmit Singh have filed the instant petition under Section 482 BNSS for grant of anticipatory bail in FIR No.59 dated 28.05.2024 under Sections 323, 353, 186, 332, 379-B, 506 and 149 IPC, 1860 registered at Police Station Kotwali District Bathinda (Annexure P-1).
2. As per the facts of the case, Constable Kulwinder Singh 971/Bathinda Chowki Civil Hospital gave his statement that he was present in the Chowki and at about 11.50 pm he received information regarding quarrel which had taken place in Operation Theatre, Civil Hospital, Bathinda. He reached on the spot and ward attendant Sukhjot Singh told him that Manpreet Singh son of Darshan Singh was admitted in emergency on account of injuries suffered by him. He was applying stitches when

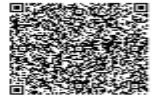


other party entered in Operation Theatre for admission of their injured persons. On seeing this Manpreet son of Darshan started slapping the other party, when he tried to stop them he gave 2-3 slaps to him. The complainant tried to make them understand and was taking them towards police chowki. Said persons started quarreling with him. 7-8 persons who were accompanying Manpreet Singh namely Bagga Singh and Meeta Singh started altercation. The complainant tried to pacify them but he was attacked by said persons. He was given slaps and fists blow and his uniform was torn. Staff of the hospital tried to rescue him and the aforesaid assailants attacked them. His phone was snatched by Bagga Singh. Ultimately police force was called and on their arrival the assailants managed to escape. With these allegations, present FIR has been registered.

3. Learned counsel for petitioners argued that they are falsely implicated in this case. They were empty handed. Even complainant has not levelled any such allegations that they were armed with weapons. In fact, altercation had taken place. Darshan Singh and Bagga Singh are already arrested. Present petitioners are ready to join the investigation. Therefore, their anticipatory bail application may be allowed.

4. Bail application is opposed by learned counsel representing the State. It is pointed out that present petitioners are specifically named. They created unrest in the hospital and attacked the hospital staff as well as police official without any valid reason. One of petitioners is involved in another FIR. They are required to join the investigation. Therefore, they are not entitled for anticipatory bail.

5. I have considered the arguments and have gone through the



record. Facts of the case indicate that incident took place in the hospital premises. It is matter of record that present petitioners were not armed with any weapon. In-fact, they were accompanying the injured who was being given treatment. No recovery is to be effected from them. Two of the accused Darshan Singh and Bagga Singh are already arrested. Present petitioners are ready to join the investigation as and when required. Therefore, without going on the merits, anticipatory bail filed by petitioners is allowed. In case petitioners are arrested, they be released on bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioners will join the investigation as and when required. They will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 482 (2) of BNSS.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

25.09.2024

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(AMARJOT BHATTI)
JUDGE

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