



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-39519-2024

Date of decision: 13.08.2024

Ranjodh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Sharda, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.129 dated 31.03.2023 under Sections 307, 323, 34 of the Indian Penal Code, 1860, registered at Police Station Goindwal Sahib, District Tarn Taran.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, and that too on the basis of a statement made by the complainant, who was not even an eye witness to the alleged occurrence. He submits that after the alleged occurrence, a compromise was effected wherein it was stated that it was on account of some misunderstanding that the petitioner had been named as an accused in the present case. He submits that strangely thereafter the injured resiled from the said compromise and chose not to withdraw the FIR in question.

3. I have heard learned counsel for the petitioner and perused



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the relevant material on record.

4. Before proceeding further, it would be relevant to reproduce the allegations levelled in the FIR, which are as under:-

“Statement of Gurbhej Singh S/o Sukhchain Singh S/o Sher Singh R/o Patti Lammian Di Khadur Sahib, Police Station Goindwal Sahib, aged around 22 years, Mobile Number 84271-46428, Stated that I am resident of above mentioned address, and I am doing Agriculture work. We are 2 brothers, my elder brother is Fateh Singh who is settled abroad in Italy, I have three sisters, who are married, my father Sukhchain Singh aged around 52 years, since past 10 months is performing his duty at Village Bania Gurudwara Sahib as Granthi, who used to go daily in the morning from home at 3.00 hrs at village Bania and used to come back home at around half past seven/Eight hrs. On dated 30.03.2023 time at around 7.45 PM, I received phone call of my friend Inderjit Singh that someone inflicted injures to my father and my father is lying down near power house in an injured condition near the Gate of Power House on a footpath leading to home, I came to the spot immediately and saw that my father was lying in front of the Gate of Power House on the foot path, his right leg was cut down, at that time there were many other persons were present, out of them our neighbour Sarabjit Singh and Lovpreet Singh both brothers were also present, I do not identify other, I asked Sarabjit Singh to call an Ambulance, I saw that fingers of right hand of my father were also cut down and were lying there, with the help of all the persons we searched for the amputated leg of my father, but leg was not found, upon coming of an Ambulance, me and Gurdev Singh R/o Khadur Sahib who was present at the spot took my father to Civil Hospital Khadur Sahib, where since injuries to my father were substantial so the Doctor after giving first aid had referred my father to Guru Nanak Dev Hospital Amritsar, but our entire family wanted to get treatment of my father from Private Hospital, so we brought our father at the night itself to Hargun Hospital Batala Road Amritsar, where operation of my father is going on, my father Sukhchain Singh was coming home on dated 30.03.2023 time at around 7:30 hrs, that some unidentified persons launched an attacked and with an intention to kill him has taken away his leg by cutting it, we did not find it, my father at present is in unconscious stage, upon getting well can tell about the persons, I do not know anything about unidentified persons, unidentified persons with an intention to kill my father have launched an attack upon



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him, I have recorded my statement to your goodself, I am the claimant, action may be initiated. Sd/- Gurbhaj Singh above named Sd/- Satnam Singh S/o Sher Singh R/o Khadur Sahib, presently Jalandhar Vihar Colony, Jalandhar 98142-90155....”

5. A perusal of the FIR reveals that the father of the complainant was found lying seriously injured and in an unconscious condition on a footpath, his right leg was severed along with his fingers, which were strewn in the vicinity. The injured was then removed in an unconscious condition by the complainant to the hospital. Since the complainant was not an eye witness to the occurrence, he lodged the FIR in question against some unidentified attackers. Subsequently, after the injured regained conscious, he suffered a supplementary statement wherein he not only named the petitioner but also detailed the role played by him in the crime in question i.e. of severing his right leg as well as his fingers.

6. In the aforementioned facts and circumstances and the role attributed to the petitioner, he does not deserve the extraordinary concession of anticipatory bail. Accordingly, the instant petition is hereby dismissed.

7. 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.

13.08.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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