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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-39800-2024 (O&M)
Date of Decision:- 10.09.2024

SUKHWINDER SINGH ALIAS SUKHWINDER SINGH DHILLON

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Munish Kumar Chaudhary, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 31.08.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Samrala, Police District Khanna, District Ludhiana is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
150	06.07.2024	126(2), 115(2), 351 (3), 3(5) of the BNS 2023; (132, 221, 121(1), 117(2) of BNS 2023 added later on)	Samrala Police District Khanna, District Ludhiana



4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that petitioner happens to be a police official himself and there has been delay of eight days in lodging the FIR. He further contends that the petitioner has been implicated in this case along with one Jashandeep Kaur, who has already been granted the concession of bail, hence, prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the status report submitted by State and on instructions from ASI Avtar Singh has assailed the arguments advanced by learned counsel for the petitioner by submitting that there are specific allegations against the petitioner of having caused multiple injuries on the person of Harveer Singh and Parminder Singh with the help of an iron rod and one of the injury caused on the person of Harveer Singh had been declared grievous in nature. He submits that the petitioner had also used force against ASI Harvinder Singh, who was performing his lawful duty, leading to multiple injuries to him as well. He submits that the custodial interrogation of the petitioner is required to recover the iron rod used in the commission of offence. As such, the petitioner does not deserve the concession of bail, hence, prayed for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered against the petitioner on the allegation that he was having relations with Jashandeep Kaur, wife of Amanpreet Singh. On 05.07.2024, when the complainant Harveer Singh,



along with his friend Amanpreet Singh and other relatives went to the house of Uncle of Jashandeep Kaur, they found Jashandeep Kaur, coming out of a car driven by the petitioner. On their enquiry, the petitioner in a fit of anger, hit them with an iron rod, causing multiple injuries to the complainant-Harveer Singh and Parminder Singh. Thereafter on a call being made, the police party headed by ASI Harwinder Singh came to the spot and the petitioner used forcible aggression against them as well, as a result of which ASI Harwinder Singh performing his lawful duty, sustained injuries. From the perusal of the medico-legal report, it transpires that out of three injuries sustained by the complainant-Harveer Singh, one has been found to be grievous in nature; while Parminder Singh received two injuries on his person and ASI Harwinder Singh received four injuries. The petitioner is alleged to have caused the injuries with the help of an iron rod and the recovery of the same has not yet been effected.

7. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

10.09.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |