



CRM-M-41533-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41533-2024

Date of Decision : 23.10.2024

KULWINDER SINGH ALIAS KINDA SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

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

Mr. Vinay Kumar, DAG, Punjab.

KIRTI SINGH, J.(Oral)

Apprehending arrest the petitioner has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No.117 dated 27.07.2024 under Sections 331(6), 115(2), 194(2), 324(4), 191(3) & 190 of BNS, 2023 registered at Police Station Sadar Kotkapura, District Faridkot.

2 Succinct factual narrative relevant for the disposal of the instant petition is that the on 26.07.2017, at about 9:30 PM, Baljinder Singh and his family members were at home when Bhinder Singh @ Maani, Kinda Singh (petitioner), Amandeep Singh, along with 14-15 unidentified individuals with muffled faces, who were armed with swords, khanda, kaapa, and iron rods, forcibly entered the complainant's residence and Bhinder Singh asked his companions to apprehend the complainant. Out of fear, the complainant and his family locked themselves in their rooms. The assailants then vandalized the



property, pelted stones at the gates and fled. During their departure, the assailants damaged Vishal Singh's motorcycle, injured Manpreet Singh @ Ganja, and destroyed three CCTV cameras installed at nearby places.

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case and he has been nominated solely on the basis of circumstantial evidence. There is no direct evidence or specific allegations against the petitioner. At the time of the offence, no one saw the petitioner at the scene, and the petitioner played no role in the incident.

4. The learned State counsel, while referring to the status report dated 30.09.2024, submits that the petitioner is facing serious allegations, including the use of a deadly weapon and causing grievous injury to the victim-Manpreet Singh. The petitioner, along with 15 co-accused, was clearly identified in CCTV footage obtained from the scene of the crime. Four co-accused have already been arrested, and the custodial interrogation of the petitioner is necessary to recover the weapon and fully investigate the crime. The statements of multiple witnesses corroborate the prosecution's case, and the petitioner's involvement has been substantiated by evidence.

5. Heard the rival submissions made by learned counsel for the parties and perused the record.

6. The petitioner faces serious charges of trespassing into the property of complainant and causing grievous injury using deadly weapon. Strong evidence, including CCTV footage and witness statements, clearly establish prima facie involvement of the petitioner's in the crime alongside other accused individuals.

There is a substantial risk that granting bail could enable the petitioner to tamper



with evidence or interfere with the ongoing investigation. Furthermore, the safety of the victims and witnesses may be jeopardized if bail is granted. Accordingly, to unearth the true dimension of the alleged crime, this Court does not deem it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner at this stage.

7. Accordingly, this petition is **dismissed**.

23.10.2024
Kavita

(KIRTI SINGH)
JUDGE

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