



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

CRM-M-44887-2024

Date of decision: 17.09.2024

Pargat Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Digvijay, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

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**KARAMJIT SINGH, J. (ORAL)**

1. This petition has been filed by the petitioner under Section 438 Cr.P.C. seeking grant of anticipatory bail in criminal case having FIR No.35 dated 18.03.2024, registered under Sections 323, 324, 148, 149 and 506 IPC (Sections 325 and 326 IPC were added later on) at Police Station Lambi, Tehsil Malout, District Sri Muktsar Sahib.

2. The allegations in nutshell are that on 16.03.2024, at about 07:00 PM complainant Baljinder Singh along with his brother in law Mandeep Singh was present in the area of link road Bhattiwala-Kandu Khera. Petitioner armed with sword, Rinku armed with rod, Amandeep Singh armed with handle of spade, Sandeep Singh armed with sword, Nika Singh armed iron rod and Avtar Singh having brick bat were also present there. Present petitioner raised *lalkara* and gave sword blow which hit on left side of forehead of Baljinder Singh. Rinku gave iron rod blow which hit below left eye of Baljinder Singh. Amandeep Singh gave blow of handle of



spade which hit on back side of his ear. Sandeep Singh gave sword blow on left hand of Baljinder Singh. Nika Singh gave iron rod blow on his head while Avtar Singh gave brick bat blow on the back side of his neck. The accused also gave kick blows.

3. The counsel for the petitioner submits that the petitioner is falsely implicated in the present case and even otherwise as per the allegations appearing in the FIR, the accused persons caused simple injuries to Baljinder Singh. It is further submitted that there was delay of two days in lodging of FIR which is not explained by the prosecution in any manner. It is further submitted that the alleged CT Scan report of Baljinder Singh was later on manipulated by the police officials in connivance with the complainant. It is further submitted that the petitioner is ready and willing to join investigation with the police.

4. The present petition is resisted by the State counsel who submits that the injury caused by the present petitioner on left side of forehead was found to be grievous in nature as per the CT Scan report of Baljinder Singh dated 17.03.2024. It is further submitted that the custodial interrogation of the petitioner is necessary and recovery of weapon used in commission of crime by the petitioner also remains to be effected.

5. I have considered the submissions made by counsel for the parties.

6. As per the allegations, recorded in the FIR, petitioner gave sword blow on the left side of forehead of Baljinder Singh. As per the CT Scan report, fracture of left frontal bone was detected which is corresponding to the aforesaid injury attributed to the petitioner. The said

injury comes under Section 326 IPC being caused by sharp edged weapon and police has still to effect recovery of the said weapon. This Court is of the view that custodial interrogation of the petitioner is required for proper investigation of the case.

7. For the foregoing reasons, the present petition is hereby dismissed being devoid of merits. However, it is made clear that any observation made herein above is not to be construed as an expression of opinion on the merits of the case.

**17.09.2024**  
*Yogesh*

**(KARAMJIT SINGH)**  
**JUDGE**

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|------------------------------------|---------------|
| <b>Whether speaking/reasoned:-</b> | <b>Yes/No</b> |
| <b>Whether reportable:-</b>        | <b>Yes/No</b> |