



133+213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48593-2024

Date of Decision:- 18.10.2024

AJAIB SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.CRM-41144-2024

Learned counsel for petitioner has filed an application for placing on record Annexure P-6 and P-7.

For the reasons mentioned in the application, same is allowed and accompanied documents are taken on record as Annexure P-6 and P-7.

Main case.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.25 dated 16.06.2024 under Sections 323, 324, 341, 506, 148 and 149 IPC, 1860 and Sections 307 and 326 IPC registered at Police Station Kot Fata, District Bathinda.

2. As per the facts of the case, Gurpreet Singh gave his statement that he is agriculturist by profession. Their land is adjoining to the land of Hamir Singh. Regarding boundary of land a quarrel had taken place. He was caused injuries on 07.06.2023 by Bhinder Singh and others. On

following him. When he reached near water works at Bhai Bakhtar Road, near village Yatri, at about 5.30 pm Naib Singh, Ajaib Singh, Simranjeet Singh @ Kala, Bhinder Singh and Buta Singh came in front of his motorcycle and stopped him. Naib Singh pointed pistol on his ear. Ajaib Singh raised a lalkara. Simranjeet Singh @ Kala gave kirpan blow with an intention to kill him and he warded off the blow by raising left hand, as a result it hit on his left elbow. They caught hold of him and he was thrown on the ground. Bhinder Singh and Buta Singh gave iron rod blows. His cousin raised alarm for his help. On this, assailants ran away with their respective weapons.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He is not attributed with any injury. Only Lalkara is attributed to him. He is ready to join the investigation. Earlier they were arrested vide arrest-cum-information memo dated 20.06.2024 (Annexure P-6) and were released on bail. Offence under Sections 326 and 307 IPC were added later-on. He is still ready to join investigation.

4. Status report is filed which is taken on record. It is pointed out that there are specific serious allegations against the petitioner. Occurrence took place on the lalkara raised by present petitioner. He is yet to join the investigation. Considering the gravity of offence and the injury caused to the complainant, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. As per the record, other co-accused Balwinder Singh @ Bhinder Singh was granted interim bail vide order dated 07.10.2024 in CRM-M-49850-2024 (Annexure P-7) by the Coordinate Bench. It cannot be ignored that earlier present petitioner along with other co-accused were arrested

and they had joined the investigation. Offence under Section 326 and 307 IPC were added later-on. No recovery is to be effected from present petitioner who is attributed lalkara. He is still ready to join the investigation. No purpose would be served by sending him behind the bars. Therefore, without expressing anything on the merits of the case, anticipatory bail filed by petitioner is allowed. In case petitioner is arrested, he be released on bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioner will join investigation as and when required. He will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 438 (2) of Cr.P.C.

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

(AMARJOT BHATTI)
JUDGE

18.10.2024
snd

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