

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49005-2024
Date of Decision:15.10.2024

Satnam Singh @ Satta ...Petitioner

VS.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Dhiraj Jindal, Advocate
for the petitioner.
Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a cross case i.e. GD No. 55 dated 29.03.2024, under Sections 323, 341, 308, 325, 148, 149 and 201 of IPC, registered at Police Station Lehra, District Sangrur (Annexure P-1) in FIR No.33, dated 17.03.2024, under Sections 323, 341, 308, 148, 149 of IPC, registered at Police Station Lehra, District Sangrur (Annexure P-2).
2. Learned counsel for the petitioner contends that the occurrence in the present case had taken place at 06:30 PM on 17.02.2024, whereas the FIR No. 33 was registered on 17.03.2024, under Sections 323, 341, 308, 325, 148, 149, at Police Station Lehra, District Sangrur against Sandeep Singh and his accomplices. Later on, a cross version in the shape of GD No. 55 dated 29.03.2024 was registered against the petitioner and his co-accused as a cross version and counter blast to the registered of the FIR by the petitioner’s side. He

further contends that the petitioner has been attributed an injury with a lathi on the left knee of the Gurnaib Singh and it has been alleged that the petitioner had caused another injury with a lathi on the right hand of Sandeep. However, both the injuries were on non-vital parts of the bodies of the injured in the present case. In fact, the injury, which attracted the offence under Section 308 IPC is attributed to Gurjant Singh, who has already been arrested by the police. As per learned counsel, the injured in the present case have already been discharged and challan has been filed qua the co-accused in the present case. Thus, the custodial interrogation of the petitioner may not be required.

3. Reply by way of an affidavit of Deputy Superintendent of Police, Sub Division Lehra, District Sangrur has been filed on behalf of respondent-State and the same is taken on record.

4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the injury on the right hand of Sandeep, injured has been declared to be grievous in nature, however, he admits that the petitioner is a first offender and injured in the present case have already been discharged in the present case.

5. I have heard the learned counsel for the parties and with their able assistance, I have perused the file carefully.

6. From the record, it is clearly made out that it is a case of version and cross version and the question of aggressor is yet to be determined by the Trial Court during the course of trial. The main injury is attributed to Gurjant Singh, non-applicant, who has already been arrested in the present case. Even the Satnam Singh @ Satta, petitioner had also suffered serious injuries on his person.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of the B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of the B.N.S.S.

15.10.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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