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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision : 06.11.2024

Satpal Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Paramjit Singh Jammu, Advocate for the petitioner.

Mr. Gaurav Bansal, DAG Haryana

KIRTI SINGH, J.(Oral)

1. Apprehending arrest in FIR No.87 dated 02.04.2024, under Sections 147, 149, 323, 324, 326, 452 IPC and Section 25 of Arms Act, 1959 registered at Police Station Ding, District Sirsa, the petitioner has preferred this petition under Section 482 of BNSS for grant of anticipatory bail.

2. The above-mentioned FIR was got registered on the basis of complaint made by Paramjeet Singh. The contents of the FIR are reproduced herein below :-

“Statement of Paramjeet Singh son of Sardar Jasveer Singh, resident of Bhawdeen, age 42 years, Mobile No 98127-66711. It is stated that I am resident of the above said address and I do agriculture work. On dated 19.3.2024, at time about 9.00 P.M. in the night, I was sitting in the house of Ranveer Alias Rana son of Jiwan Singh and Ranveer was also present there and then, Harwinder Singh alias Kaka son of Partap Singh, Prabhjot Son of Gurwinder Singh, residents of Bhawdeen and Sat Pal Alias Sattu Son of Mahender Singh, resident of Mauju Khera, Kinnu son of Avatar Singh Lathi, resident of Narel Khera and 3/4 other boys, whose names are not known, were come at the house of Ranveer Singh alias Rana and they were holding kirpans and sticks in tier hands and on coming, all the above said persons



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gave beatings to me and gave stick blows, which hit on my back and on my stomach. On hearing the noise, on seeing the people coming from nearby, all the above said persons were gone from the spot. On dated 20.03.2024, at time about 2.00 p.m., all the above said persons were come in front of the gate of my house in a Honda City Car of black colour. The vehicle was being driven by Sat Pal alias Sattu, who hit the vehicle with me and due to this, I was fell down. Thereafter, all the above said persons were come down from the vehicle and Sat Pal alias Sattu, Harwinder Alias Kaka gave kirpan blows, held by them in their hands, on me directly. I put my hand forward to save me and the kirpan hit on my right hand and Prabhjot gave blow of baseball on me which hit on my right hand and Kinnu gave reverse blow of kirpan, held by him in hand, on me, which hit on palm of my left hand and the remaining persons also gave slaps blows and fist blows to me. Then, my mother, Gurbachan Kaur and my wife, Karamjeet Kaur were come at the spot and raised noise of "Save-Save". Then, all the above said persons ran away from the spot along with their weapons. Thereafter, my mother, made a telephone call to son of my bhua (aunt), namely Balhar Singh son of Dilbag Singh and told him about the incident and then, Balkar Singh was come at our house and admitted me in Government Hospital, Sirsa. Reason behind this enmity is that before some, my altercation was occurred with Sattu and Kinnu and due to this enmity, the above said persons caused injuries to me illegally. Legal action may be taken against them."

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. He further submits that no role has been attributed to the petitioner and no weapon of offence has been recovered from the petitioner. Learned counsel further submits that the petitioner was driving the car only.

4. Per contra, learned State counsel submits that as per MLR of the injured Paramjit Singh, he sustained four injuries out of which injuries No. 1 and 2

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are sharp in nature whereas injury No. 3 and 4 are blunt in nature. He further submits that after the opinion from the doctor about injury No.1 as grievous in nature, Section 326 IPC was added in this case. During investigation on 17.8.2024, co-accused Kirandeep Singh @ Kinnu was arrested in this case and he suffered a disclosure statement on 17.8.2024, upon which sword used in the alleged occurrence was got recovered. He further submits that the petitioner is the mastermind of the occurrence because earlier the altercation took place in between the complainant and the petitioner. On account of this grudge the petitioner alongwith the other co-accused reached in the house of the complainant in his Honda City Car and they had committed the deadly attack upon the complainant-injured. At the time of occurrence the petitioner was armed with sword and he has caused the sword on the complainant. Recovery of the sword as well as car used in the occurrence are to be effected, therefore, the custodial interrogation of the petitioner is required.

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

6. There are serious allegations leveled against the petitioner. The petitioner and his co-accused formed an unlawful assembly and inflicted injuries to the complainant, out of which one injury was declared grievous in nature. 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. The petition is dismissed.

(KIRTI SINGH)
JUDGE

06.11.2024

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