

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53295-2024
Reserved on: 05.11.2024
Pronounced on: 12.11.2024

Tarlok Lal @ Harman Sandhu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. J.S.Thakur, Advocate
for the petitioner

Mr. Akshay Kumar, AAG, Punjab

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
22	20.05.2024	Patara, Jalandhar Rural	307/353/186/332/148/149 IPC

1. The petitioner apprehended arrest in the FIR captioned above had come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 12 of the bail petition, the accused declares that he has no criminal antecedents. However, per paragraph 6 of the status report filed by the State, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	106	13.10.2020	354/506/509 IPC	Patara, District Jalandhar (Rural)
2	46	26.08.2023	21 of NDPS Act	Patara, District Jalandhar (Rural)

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“2. That FIR No. 22 dated 20.05.2024 U/ss 307, 353, 186, 332, 148, 149 IPC was registered at Police Station: Patara, District Jalandhar Rural on the basis of a statement given by complainant SI Gurdeep Singh, wherein complainant stated that on 20.05.2024 at about 12:45 PM, when he along with SHO, PS; Patara and fellow police officials was present at Patara with regard to Parliament election duty, a secret information was received by SHO, PS: Patara to the effect that that the present

petitioner namely Tarlok Lal @ Harman Sandhu @ Sonu along with Gagandeep Singh, Harmanjot Singh, Gurjit Singh @ Jeeta, Sandeep Kumar @ Seepa and Pargat Singh @ Sonu are sitting in the house of the petitioner and consuming intoxicants. On receiving the said secret information, due to paucity of time and house of the petitioner being nearby, police officials reached the house of the petitioner. When the police officials were about to knock at the door of the house of petitioner, petitioner armed with "khanda" came out and with an intention to kill, gave a blow upon the left eye and left side of the head of S/CT Jasvir Singh as a result of which S/CT Jasvir Singh started bleeding. Thereafter, Harmanjot Singh went upstairs and started hurling bricks on the police party and one brick had hit on the head of HC Barjinderpal Singh. Thereafter, the petitioner along with his companions, while hurling bricks and stones on the police officials, ran away from the spot by climbing the roofs of the neighbours. Hence, instant case FIR was registered against the petitioner Tarlok Lal @ Harman Sandhu @ Sonu along with Gagandeep Singh, Harmanjot Singh, Gurjit Singh @ Jeeta, Sandeep Kumar @ Seepa and Pargat Singh @ Sonu."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

"4. That the present petitioner is the main accused in the present case as it has come in the FIR that when the police officials were about to knock at the door of the house of petitioner; petitioner armed with "khanda" came out and with an intention to kill, gave a blow upon the left eye and left side of the head of S/CT Jasvir Singh as a result of which S/CT Jasvir Singh started bleeding. Thereafter, the petitioner along with his companions fled from the spot after hurling bricks and stones at the police officials.

5. That as noted above, the petitioner is the main accused in the present case as it has come in the FIR that when the police officials were about to knock at the door of the house of petitioner; the petitioner armed with "khanda" came out and with an intention to kill, gave a blow upon the left eye and left side of the head of S/CT Jasvir Singh as a result of which S/CT Jasvir Singh started bleeding. Thereafter, petitioner along with his companions fled from the spot after hurling bricks and stones at the police officials."

7. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

8. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
9. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

12.11.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.