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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRA-S-3830-2024 (O&M)
Date of Decision:- 09.12.2024

RANJODH SINGH

....Appellant(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Arora, Advocate for the appellant.
Mr. Ankit Grewal, DAG Punjab.
Mr. Davinder Singh Dadwal, Advocate for respondent No.2.

SANJIV BERRY, J. (ORAL)

1. Status report dated 06.12.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division Kartarpur, Jalandhar Rural, is taken on record. Copy thereof has been supplied to learned counsel for the appellant.
2. Arguments heard.
3. The present appeal has been preferred against the order dated 25.09.2024 passed by learned Additional Sessions Judge, Jalandhar, whereby the anticipatory bail application filed by the appellant had been dismissed in the following FIR (Annexure P-1).

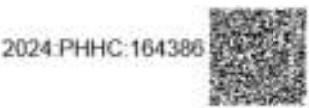
FIR No.	Dated	Sections	Police Station
119	08.09.2024	103(1), 126(2), 191(3), 190 BNS; 3 of SC/ST Act	Kartarpur, District Jalandhar



4. It is *inter alia* contended by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in the case. He submits that the appellant was not named in the FIR but has been allegedly nominated in the disclosure statement made by Jaspreet Singh, Harpreet Singh and Joginder Singh, consequent upon their arrest. He contends that the appellant is having no concern whatsoever with the alleged occurrence. As such, prays for grant of anticipatory bail to the appellant.

5. *Per contra*, learned State counsel assisted by learned counsel for the complainant has assailed the arguments by referring to the status report submitted by the State contending that although the appellant has been nominated in the disclosure statement made by other co-accused but specific overt act is attributed to the appellant of having given blow with iron *datar* on the victim along with other co-accused resulting in his death. They contend that the appellant had actively participated in the crime and his custodial interrogation is required for recovery of weapon, hence, prayed for dismissal of the appeal.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered by complainant alleging that he was raising a boundary wall on his plot with the help of his son Amandeep Singh along with one relative Keshav and some migrant labourers. At about 02:00 PM, one Gurpreet Singh came and started demolishing the boundary wall, who was pacified by the complainant. However, at about 04:00 PM, when the complainant, his son Amandeep Singh and Keshav were returning on their motorcycle along with migrant



labourers and reached near the house of Darshan Singh, then 4-5 motorcycle riders namely Joginder Singh, Gurpeet Singh, Harpreet Singh, Sonu, Ranjit Singh @ Rana, Sewa, Harpreet Singh @ Happy and Jaspreet Singh @ Jassa along with 6-7 unknown persons attacked them with iron *datars* and caused multiple injuries to them, as a result whereof, a migrant labourer died at the spot, while the complainant and his son Amandeep, his relative Keshav and other labourers, sustained serious injuries, who were taken to hospital for treatment.

7. Considering the contention raised by learned counsel for the parties and in the light of facts and circumstances of the case, it is observed that there are specific allegations against the appellant of having inflicted multiple injuries on the victim with iron *datar*, recovery of which is yet to be effected, for which his custodial interrogation is required.

8. Therefore, keeping in view the nature and gravity of offence, it is observed that no case is made out in favour of the appellant for grant of anticipatory bail, as a consequence, the appeal is hereby dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.12.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |