



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-46877-2024

Date of decision: April 8th, 2025

Ajaib Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Deepak Goyal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.142 dated 19.08.2024 under Sections 115(2), 118(2), 351(3) of the BNS (Section 118(2) added and Section 351(3) deleted later on) registered at Police Station Sadar Dhuri, District Sangrur.

2. Vide order dated 04.11.2024, a coordinate Bench of this Court extended the concession of interim bail to the petitioner in the following terms:

“Learned State counsel has opposed the bail to the petitioner by contending that the weapon used in the crime is yet to be recovered. Out of 4 injuries inflicted on the person of complainant, injury No.3 was declared by the doctor as grievous in nature. In CCTV footage, petitioner can be seen attacking upon the complainant. Petitioner is involved in two more cases.

Learned counsel for the petitioner submits that petitioner is 77 years of age. Petitioner is HIV patient. No

such alleged incident ever took place. He has been falsely implicated in the present case with the sole motive to pressurize him to transfer the land of his share to the complainant party.

Learned counsel for the petitioner has shown CCTV footage that the complainant is following the petitioner.

Keeping in view the fact that in the CCTV footage as shown by the petitioner, complainant is following the petitioner, let copy of said CCTV footage be given to the Investigating Officer, who will verify the same and file the report.”

3. It has been submitted that the petitioner in compliance of the said order has joined investigation and, therefore, the order be made absolute.

4. Learned State counsel assisted by counsel for the complainant has, however, opposed the prayer and submissions made by the counsel opposite for making the interim order dated 04.11.2024 absolute. While drawing the attention of this Court to the FIR (Annexure P-1), it is submitted that the allegations are grave and clearly indicate a pattern of harassment and violence by the petitioner against his daughter-in-law (complainant), arising from property and matrimonial disputes. Learned State counsel, on instructions, has submitted that the petitioner has a history of similar conduct, being named in two earlier FIRs involving similar accusations of assault and intimidation.

5. It is further contended by the learned State counsel, on instructions, that although the petitioner was granted bail in the previous cases, he seemingly misused the liberty by continuing to harass the complainant and attempting to coerce her into withdrawing her earlier

complaints against the petitioner.

6. Learned State counsel further submits that after the occurrence in question, during investigation, it came to light that the complainant was intercepted near the house of the petitioner and assaulted by him with a wooden stick, resulting in four injuries, one of which was declared to be grievous in nature. There is a CCTV footage also collected by the investigating agency, wherein the petitioner is visible assaulting the complainant.

7. Learned counsel for the petitioner, however, has refuted the submissions made by the counsel for the State as well as the complainant. Learned counsel has reiterated that the petitioner has been falsely implicated in the present case. It has been submitted that even previously the complainant had involved the petitioner in fabricated criminal proceedings to pressurize him into transferring his share in agricultural land to her or her husband. It is also pointed out that there are civil disputes pending between the parties.

8. Learned counsel has further contended that in the occurrence in question, it was in fact the complainant and her husband, who had assaulted the petitioner as a result of which he had to be hospitalized also. Additionally, it has been submitted that there is a delay of two days in the lodging of the FIR in question, which also raises doubts about its genuineness; furthermore, the injuries allegedly sustained by the complainant are on non-vital body parts and there is every likelihood of these injuries being self-inflicted.

9. I have heard learned counsel for the parties and perused the relevant material on record.

10. *Prima facie*, there are specific and serious allegations against the petitioner. The complainant's account of physical assault with the wooden stick is primarily supported not only by medical evidence but also by CCTV footage, wherein as per the learned State counsel, the petitioner is clearly visible attacking the complainant. Furthermore, the petitioner is admittedly involved in two other FIRs containing similar allegations, one out of which is between the same parties. The instant occurrence took place when the petitioner was on bail in the other criminal case, which is pending between the same parties and wherein also, the petitioner allegedly assaulted the complainant.

11. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail.

12. Accordingly, the instant petition stands dismissed.

13. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

April 8th, 2025

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No