



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-53029-2024
Reserved on 25.02.2025
Date of decision: 03.03.2025

Jagjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Argued by: Mr. S.K. Passi, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

Mr. Kuldip Singh, Advocate for the complainant.

KARAMJIT SINGH, J.

1. Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.89 dated 27.09.2024 registered under Sections 115(2), 117(2), 324(2), 304, 126 (2), 3(5) of BNS, 2023 at Police Station Sadar Jalalabad, District Fazilka.

2. The allegations in brief are that complainant Saroj Rani wife of Surjit Singh reported to the police that at about 9 PM on 04.09.2024, her husband who was under the influence of liquor, came back to his house and started abusing the complainant. On this, complainant rushed out of the house. In the meantime, her brother Sarabjeet Singh and his wife Veena Rani also reached there in a car. However, the said car was intercepted by Harmesh Singh father in law, petitioner Jagjit Singh and Gurmeet Singh brothers in law of the complainant and three other unknown persons and all of them started hitting car of Sarabjeet Singh. On which, Sarabjeet Singh and Veena Rani came out of the car and on this, Surjit Singh and Gurmeet Singh started arguing with Sarabjeet Singh. Complainant tried to intervene on which her brother in law Jagjit Singh (petitioner) attacked her with axe



and gave its blow on her right knee with its reverse side. Another blow of axe given by Jagjit Singh hit on her teeth. In the meantime, Harmesh Singh gave repeated blows of iron rod which hit on right arm and back side of her shoulder. Jagjit Singh gave another axe blow with its blunt side which hit on her right arm. Surjit Singh caused injury on the left leg of Sarabjit Singh with the help of 'Varma' (a pointed equipment). Gurmeet Singh also attacked Sarabjeet Singh and gave dang blow on his back. Surjeet Singh caused another injury on the left side of neck of Sarabjeet Singh with the help of 'Varma'. In the meantime, Jagjit Singh snatched mobile phones from complainant and Veena Rani and then all the culprits escaped from there.

3. The counsel for the petitioner has submitted that petitioner and other members of his family including his brother and father are falsely implicated in the present case. The petitioner is specifically named in the FIR to falsely implicate him, he being a police official. It has been further submitted that at the relevant time, the petitioner was attending his official duty being deputed as personal gunman of head of Nirog Jeevan Sansthan, Banwala Hanwata Tehsil Fazilka, as is clear from Annexure P-2. It has been further submitted that brother of the petitioner is having marital discord with his wife Saroj Rani (complainant herein) and she is nursing grudge against the entire family of her husband Surjit Singh, including the present petitioner, who is real brother of Surjit Singh. It has been further submitted that Surjit Singh is serving in Indian Army and is having good character and is being troubled by his in laws, as is clear from Panchayatnama Annexure P-5. That earlier also Saroj Rani and her husband Surjit Singh effected compromise vide Annexure P-4 dated 04.01.2020. It has been further submitted that actually on the day of occurrence i.e. 04.09.2024, Saroj Rani unnecessarily raised dispute with her husband Surjit Singh and thereafter, Saroj Rani, her brother Sarabjit Singh and his wife Veena Rani along with 2/3 other unknown persons trespassed into the house of Surjit Singh and caused injuries to him and they also damaged the household articles and the matter was reported to the police by Surjit Singh vide complaint Annexure P-6 dated 05.09.2024. The police failed to take



any action on the said complaint and then reminder Annexure P-7 dated 10.09.2024 was also sent to the police authorities. But till date, no action has been taken on complaint Annexure P-6 by the police. It has been further submitted that no such occurrence as alleged by Saroj Rani in FIR No.89 dated 27.09.2024 had ever taken place. That the delay in lodging of the FIR itself establishes the falsity of the alleged incident. It has been further submitted that the petitioner who is a police official is ready and willing to join investigation with the police.

4. Status report by way of affidavit of Jatinder Singh Gill, Deputy Superintendent of Police, Sub Division, Jalalabad filed on behalf of respondent-State was taken on record. As per said status report, the petitioner is absent from his duty and is absconding and is placed under suspension and departmental inquiry is also initiated against the petitioner.

5. The present petition is resisted by the State counsel as well as counsel for the complainant. Both of whom have submitted that the incident as is alleged in complaint Annexure P-6 by co-accused Surjit Singh, had never taken place and the same is an after thought just to counterblast FIR No.89 dated 27.09.2024 which was registered by the police against the petitioner and other accused after proper inquiry. It has been further submitted that the petitioner actively participated and caused injuries to complainant with the help of axe and he also forcibly snatched mobile phones from complainant Saroj Rani and Veena Rani. It has been further submitted that the custodial interrogation of the petitioner is required for the purpose of proper investigation.

6. I have considered the submissions made by counsel for the parties.

7. Till date, no FIR or DDR has been registered by the police on the basis of complaint Annexure P-6 lodged with the police by co-accused Surjit Singh. As per the allegations recorded in the FIR, the petitioner is specifically named and he caused injuries to complainant Saroj Rani with the help of axe and there are also specific allegations that at the time of occurrence, petitioner forcibly snatched mobile phones of complainant and Veena Rani. In the given circumstances, as the recoveries of the weapon



used in commission of crime by the petitioner and the snatched mobile phones are still to be effected, the custodial interrogation of the petitioner is necessary in order to go to the root of the case.

8. In light of the above, no ground is made out to grant concession of anticipatory bail to the petitioner. Resultantly, the present petition is hereby dismissed. However, it is made clear that any observation made herein above is not to be construed as an expression of opinion on the merits of the case.

03.03.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No