



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M No.53953 of 2024
Date of decision: 15.01.2025

JAJJ SINGH @ JAJ SINGH

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

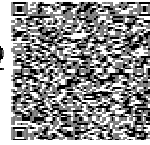
Present : Mr. Hakam Singh, Advocate for the petitioners.
Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 424 dated 25.06.2024 registered under Sections 147,148, 149, 307, 323, 324, 341 and 506 of IPC and 25 of Arms Act at Police Station Rania, District Sirsa (Haryana).
2. Vide order dated 08.11.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 08.11.2024, passed by this Court, reads as under:

"Prayer in this petition is made for grant of anticipatory bail registered in case bearing FIR No. 424 dated 25.06.2024 registered under Sections 147,148, 149, 307, 323, 324, 341 and 506 of IPC at Police Station Rania, District Sirsa (Haryana).

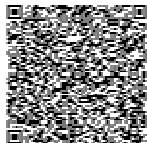
As per the prosecution case, the aforementioned FIR was registered on the basis of statement got recorded by the complainant Balbir Singh on 25.06.2024 alleging therein that on 24.06.2024 Badal and Jaspal Singh had dropped his son Tehal Singh at his house and while they were returning back on their bike and reached near Balmiki temple, the accused Amandeep, Samandeep @ Sama and Nanak who were sitting near the temple, intercepted Jaspal Singh and started saying



as to why he was showing eyes to them. The accused Amandeep and Samandeep brought datars from their house and struck blows with the same on the person of Jaspal Singh. To save himself, he ran towards house of Paramjit Kaur sister of the complainant who brought him to hospital.

As per the further allegations, on the same night, when the complainant himself was going towards his house, the present petitioner accompanied by co-accused Amandeep and Samandeep wrongfully restrained him on the way. The present petitioner struck a blow with a kappa thereby hitting the left side of his head. The complainant and his family members went to the house Paramjeet, where the petitioner along with the co-accused Amandeep, Janak, Bunty, Om Parkash, Babu, Sunny and 8-10 other unknown persons reached there. Accused Bunty who was carrying a pistol fired a shot with a gun towards him thereby trying to kill him but the complainant somehow escaped. The same pistol was given by Bunty to accused Aman who too fired 4-5 shots towards the complainant and his family members but they were saved. The complainant and his family members started throwing brick bats towards the assailants in order to save themselves and in return they also did the same. He disclosed that his relative Bada had also sustained injuries on his person. They had been taken to hospital and were provided treatment. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which was dismissed by the Court of learned Additional Sessions Judge, Sirsa vide order dated 16.10.2024.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injury that has been attributed to the petitioner is simple in nature. He is ready to join the investigation. His custodial interrogation is not required. The petitioner had met with an accident and is presently, admitted in hospital after sustaining injuries. Co-accused Gurmail Singh whose case is on similar footing has been



extended benefit of pre-arrest bail. Therefore, it is urged that the petitioner too deserves to be released on bail.

Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature as by forming membership of unlawful assembly and in prosecution of common object of that unlawful assembly, he had assaulted the victim and caused injuries to him. He seeks time to file status report.

Adjourned to 05.12.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.11.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 08.11.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)
JUDGE

15.01.2025
Jyoti-IV

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No