IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M \_\_\_\_\_\_\_\_\_\_\_\_\_ OF 2018

Gurpreet Singh ……....Petitioner.

Versus

State of Punjab …......Respondent

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CHANDIGARH (MUNISH BHARDWAJ MANOJ KUMAR ROHILLA)

DATED; 13.08.2018 ADVOCATES

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M \_\_\_\_\_\_\_\_\_OF 2018

Gurpreet Singh, aged about 31 years s/o Dharam Singh, R/o Village Kasel, Tehsil and District Tarn Taran.

...........Petitioner

Versus

State of Punjab ……..... Respondent

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CHANDIGARH (MUNISH BHARDWAJ MANOJ KUMAR ROHILLA)

DATED; 13.08.2018 ADVOCATES

COUNSEL FOR THE PETITIONER

FIRST Petition under Section 438 of Cr.P.C. for Anticipatory Bail to the petitioner in case FIR No 45 dated 14.07.2018 Under Sections 323, 324, 326, 452, 34 IPC Police Station, Sarai Amant Khan District Tarn Taran during the pendency of trial;

Issue any other order or direction which this Hon’ble Court deems fit and proper under the facts and circumstances of the case.

RESPECTFULLY SHOWETH:

1. That the above said false case has been registered by the police of P.S. Sarai Amanat Khan on the statement of complainant. A true translated copy of FIR is attached herewith as **Annexure P/1**.
2. That the petitioner and his father has been falsely implicated in the present case, as they have not committed any offence as alleged in the FIR.
3. That there is a dispute of street between both the parties, and on the basis of that some altercation has occurred on that day, but the complainant and his wife came into the street and started quarreling with the petitioner and his father, and in that quarrel petitioner and his father has also received injuries.
4. That present case is case of version and counter version as the petitioner has also received injuries on his body with sharp edged weapon i.e. datar caused by Major Singh-complainant in the present case. Out of three injuries, one injury was declared as grievous in nature in the X-ray report which constitute offence under section 326 IPC against the complainant and others. A report bearing No.37 dated 14.07.2018 under section 323/341/506/34 IPC has also been registered regarding this incident on the statement of Darshan Kaur mother of the petitioner against the present complainant and others. It is relevant to mention here that father of the petitioner namely Dharam Singh has also received injuries in the said occurrence on his vital part of body. Copy of rapat No.37 and copies of MLR are attached herewith as **Annexure P-2, P-3 and P-4**, respectively.
5. That there is unexplained delay of 6 days in lodging of the present FIR which shows the falsity of the case and doubtful of the prosecution story put forwarded by the complainant in the FIR.
6. That the petitioner is ready to join the investigation, as and when required by the police, and as per the directions of this Hon'ble Court.
7. That the petitioner applied Anticipatory bail before ld. Sessions Judge and ld. Addl. Sessions Judge Tarn Taran declined the bail application of the petitioners on 04.08.2018. A copy of order is attached as **Annexure P/5**.
8. That there is no apprehension of the petitioner for jumping the bail or temper with the prosecution evidence or record.
9. That the petitioner shall abide by all the terms and conditions imposed by this Hon'ble Court.
10. That no such or similar Petition is pending before the Court of Sessions or any other Court at the time of filing of the petition.
11. That no such or similar Crl. Misc has been filed in this Hon'ble Court or in the Hon’ble Supreme Court of India involving the same issue.

PRAYER

It is, therefore, respectfully prayed that this petition may kindly be allowed and the arrest of the petitioner may kindly be stayed during the pendency of the present petition in the interest of justice.

It is, further, prayed that Petitioner be exempted from filing the certified / typed copies of Annexure P/1 to P/5 in the interest of justice.

CHANDIGARH (MUNISH BHARDWAJ MANOJ KUMAR ROHILLA)

DATED; 13.08.2018 ADVOCATES

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M \_\_\_\_\_\_\_\_\_OF 2018

Gurpreet Singh ……....Petitioner.

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Affidavit of Gurpreet Singh, aged about 31 years S/o Dharam Singh, R/o Village Kasel, Tehsil and District Tarn Taran

I, the above named deponent do hereby solemnly affirm and declare as under:-

1. That deponent is filing the accompanying petition in this Hon'ble Court and is well conversant with the facts of the said petition.
2. That the facts narrated in the petition are true and correct to my knowledge and belief. No part of it is false and nothing has been kept concealed therein.
3. That the deponent has not filed any petition in this Hon'ble Court or the Hon'ble Supreme Court of India or no petition is pending before the Hon’ble Session Court.

Chandigarh Deponent

Dated:13.08.2018

VERIFICATION:

Verified that the contents of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

Chandigarh Deponent

Dated:13.08.2018

Annexure P/1

FIRST INFORAMTION REPORT

|  |  |
| --- | --- |
| FIR NUMBER | 57 |
| DATED | 08.06.2017 |
| UNDER SECTIONS | 22 OF NDPS ACT |
| POLICE STATION | MEHNA |
| DISTRICT | MOGA |

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M \_\_\_\_\_\_\_\_\_\_OF 2018

Gurpreet Singh and another …. Petitioners

Versus

State of Punjab Respondent

**Total Court Fee**

Affixed Rs \_\_\_\_\_\_\_\_\_\_\_

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CHANDIGARH (MUNISH BHARDWAJ MANOJ KUMAR ROHILLA)

DATED; 13.08.2018 ADVOCATES

COUNSEL FOR THE PETITIONER