

SUKHJINDER PAL SINGH @ BHATTI
V/S
STATE OF PUNJAB

Present: Mr. Sartaj Singh Gill, Advocate
for the petitioner.

1. Through the instant petition, as filed under Section 438 Cr.P.C., the petitioner has sought the grant of anticipatory bail, in case FIR No.35 dated 30.01.2023, under Sections 336, 34 of IPC and Section 27 of Arms Act, registered at Police Station Sohana, District S.A.S. Nagar.

2. The allegations, as levelled against the petitioner, are that on 26.01.2023, at about 07:30 p.m., the petitioner organized a Jagran at Gugga Madi Temple of the Village concerned, but he placed his own donation box (Galla) over the donation box (Galla) of the said temple. When the complainant restrained the petitioner from doing so, the petitioner started threatening him. However, upon being persuaded by one Labh Singh, the petitioner and his co-accused took their donation box outside the temple. Thereafter, the petitioner took out his .32 bore revolver and fired three shots in air, which caused chaos and fearfulness at the spot and all the devotees including the complainant rushed inside the temple and stayed there for the whole night. Thereafter, on 27.01.2023, at about 07:30 a.m., the petitioner along with his co-accused went to the house of complainant and threatened him and also gave beatings to one Gurpreet Singh.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, whereas, it was

the complainant who, with malafide intention to grab the money donated by the devotees in the Jagran which was organized on 26.01.2023, had started creating obstruction in the Jagran. He further submits that the complainant, who is none else than the brother-in-law of the petitioner, had even hurt the religious sentiments of the petitioner and other devotees. In fact, the main dispute is with regard to management of the Gugga Madi Temple. The complainant has not placed any document on record to substantiate his claim that he has been authorized by the Village Panchayat concerned to manage the affairs of said Gugga Madi Temple. Moreover, to express his bonafide, the petitioner has already deposited his licensed .32 revolver, at P.S. Sohana, S.A.S. Nagar, way back on 28.1.2023.

3. Notice of motion for 17.07.2023.

4. Mr. Sandeep Kumar, Deputy Advocate General, Punjab accepts notice on behalf of State of Punjab.

5. The learned State counsel, on instructions imparted to him by ASI Tarsem Singh, intimates this Court that the petitioner has not deposited his licensed arm. In view of this submission, the petitioner is directed to forthwith deposit his licensed arm to the investigation officer, if not already deposited.

5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms

and conditions as envisaged under Section 438(2) Cr.P.C.

6. The learned State Counsel is directed to file a reply, detailing therein the exact role of the petitioner along with the details of pending FIRs, if any, on or before the next date of hearing.

June 09, 2023
devinder

(KULDEEP TIWARI)
JUDGE