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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M- 13828-2015

Date of Decision : Sept. 15th , 2015

Amit Kumar and another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Present Mr. Rajinder Singh Rana, Advocate,
for the petitioners.

Mr. A.S.Kler, DAG, Punjab,
for the respondent-State.

Mr. Naveen Batra, Advocate,
for the complainant.

SHEKHER DHAWAN, J.

Present petition is for grant of anticipatory bail to the petitioners in case bearing FIR No.37 dated 3.3.2015 under Sections 308, 323, 324, 148 and 149 of Indian Penal Code registered at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioners has contended that the petitioners have been falsely implicated in this case as it was a case of version and cross-version. Three persons were named in the FIR and no role has been attributed to the present petitioners. All the injuries on the body of Sandeep Singh are simple in nature and no injury was dangerous to life attracting the provisions of Section 308 IPC. The petitioners were ready to join the investigation. So, the petitioners be released on anticipatory bail.

Learned State counsel as well as learned counsel for the complainant while opposing the bail application took the plea that there

were forty injuries on the body of Sandeep Singh including three fractures. Injured Sandeep Singh is still under treatment. Apart from the three persons named in the FIR, eight other persons were unidentified and the whereabouts of said persons are yet to be made known and petitioners are required for investigation purposes. So, their anticipatory bail application be dismissed.

Having considered the submissions made by learned counsel for the parties and the fact that Sandeep Singh suffered forty injuries and he is still under treatment, investigation is still going on and co-accused are yet to be arrested, that way custodial investigation of the petitioners is required and there are no grounds for releasing the petitioners on anticipatory bail. The present petition stands dismissed.

(SHEKHER DHAWAN)
JUDGE

Sept. 15th , 2015
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