

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-32828 of 2015

.....

Date of decision:24.9.2015

Gurnam Singh and another

...Petitioners

v.

State of Punjab

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

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Present: Mr. Vipin Mahajan, Advocate for the petitioners.

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**Inderjit Singh, J.**

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.51 dated 13.8.2015 registered for the offences under Sections 326, 324, 323 and 34 IPC (offence under Section 326 IPC has been added later on) at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that present FIR has been registered at the instance of Amarjit Kaur wife of Jaspal Singh-present petitioner No.2. As per the FIR petitioner No.1 Gurnam Singh has been adopted as son by Jaspal Singh. As per the allegations, Gurnam Singh and Jaspal Singh both accused were armed with 'Datars' and both of them gave injuries to Amarjit

Kaur. Gurnam Singh gave a 'Datar' blow on the leg of Amarjit Kaur and Jaspal Singh gave a 'Datar' blow on the wrist of her left arm. One of the injuries has been declared grievous which falls under Section 326 IPC.

Learned counsel for the petitioner at the time of arguments argued that the petitioners have already been released by Police on bail for the offence under Section 324 IPC. A perusal of the record shows that both the petitioners were armed with deadly weapons and both of them have taken active part in the commission of the offence. So, in the FIR specific injuries have been attributed to them. The weapons are yet to be recovered. They are required for custodial interrogation. Otherwise also, keeping in view the nature and gravity of the offences, I do not find it a fit case where the present petitioners are entitled to the benefit of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

September 24, 2015.

**(Inderjit Singh)**  
**Judge**

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