

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-37388 of 2014
Date of decision: 14.8.2015

Gurdev Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. L.M. Gulati, Advocate for the petitioner.
Mr. Ankur Jain, AAG, Punjab.
Mr. M.S. Sachdev, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 323, 325, 452, 148, 149 IPC (Sections 324, 308, 323, 427/34, 325 IPC added later on) at Police Station Kartarpur, District Jalandhar, vide FIR No.65 dated 12.6.2012.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. Petitioner is accused in the cross-version. He further submits that petitioner is in custody since long, therefore, useful purpose will be served by detaining the petitioner during trial.

Learned State counsel as well as learned counsel for the complainant have opposed the prayer on the grounds that allegations against the petitioner are serious. He has been attributed injury to the

complainant Mohan Singh on vital part of the body.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

Allegations against the petitioner levelled by the complainant are that at the time of alleged occurrence, he was armed with a *Kirpan*. He had raised a *Lalkara* and inflicted *Kirpan* blow which hit by the side of left eye of complainant. As per MLR, complainant Mohan Singh suffered fracture of facial bones on the side of left eye orbit. Co-accused of the petitioner have also been attributed blows with their respective weapons to the complainant. There are five injuries on the person of the complainant.

Keeping in view serious nature of the allegations, I am of the considered view that petitioner is not entitled to bail. The petition is devoid of merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

14.8.2015
'Rajpal'