

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-40970 of 2015

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Date of decision:3.12.2015

Rajwinder Singh and another

...Petitioners

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Jitender Singh Dadwal, Advocate for the petitioners.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.78 dated 22.7.2015 (Annexure-P.1) registered for the offences under Sections 452, 324, 323, 148 and 149 IPC and (Section 326 IPC which was added later on) at Police Station Sudhar, Ludhiana Rural.

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

From the record, I find that the FIR in the present case has been registered on the statement of Chamkaur Singh. As per the prosecution version, Rajwinder Singh armed with 'Gandasa', Amritpal Singh armed with 'Gandasa' and Kali alias Gurwinder Singh entered the house of the

[2]

complainant by jumping over the wall at about 11.45 p.m. and Kali, who is also known as Gurwinder Singh, opened the gate from inside. As per the prosecution version, Rajwinder Singh gave a 'Gandasa' blow on right leg of the complainant. Kali took the stick from Gurpreet Singh and gave a blow under the left arm of the son of the complainant. Rajwinder Singh gave also a blow from the backside of the 'Gandasa' on the right leg of son of the complainant.

In view of the allegations in the FIR, I find that both the petitioners are named in the FIR. Both the petitioners inflicted the injuries as per FIR. The weapons are to be recovered from the present petitioners, therefore, they are required for custodial interrogation.

Therefore, keeping in view the facts and circumstances of the present case, 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.

December 3, 2015.

(Inderjit Singh)
Judge

hsp