

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

**CRM-M No.14406 of 2016 (O&M)
Date of Decision: 17.05.2016**

Gurdeep Singh @ Ratha

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Jagtar Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner/accused-Gurdeep Singh @ Ratha in case FIR No.38 dated 23.03.2015, under Sections 307, 323, 324, 325, 341, 506, 148, 149, 34 of the Indian Penal Code (Section 201, IPC added later on) and Sections 25/27/54/59 of the Arms Act, registered with Police Station Doraha, Police District Khanna, District Ludhiana.

As per the version of the injured/complainant-Jaswinder Singh, he was waylaid by the petitioner/accused armed with a *Daah*; co-accused/non-applicant-Amandeep Singh @ Aman armed with *Kirpan* and two other boys armed with *baseball bats*. The petitioner/accused is alleged to have given a *Daah* blow on the forehead of the complainant and also fired towards him from his revolver, and also kick blows on the face of the complainant, which he lay felled to the ground.

It is a matter of record that the petitioner was initially apprehended on 25.06.2015 after evading the arrest for almost three months and thereafter on his visit to the hospital had absconded from the hospital, when taken for medical checking, and was subsequently arrested on 30.06.2015.

Learned Counsel for the petitioner submits that there is no opinion of the doctor regarding the injury being dangerous to life. It is next contended that both the injured/complainant and the eye-witness Saudagar Khan have not supported the case of the prosecution.

Learned State Counsel, assisted by ASI Jagtar Singh, submits that the petitioner is the main accused and has caused grievous injury (at least, if not dangerous to life) on the vital part of the body i.e. forehead. She further submits that he was initially arrested with great difficulty after three months of the occurrence and thereafter had absconded from the police custody and, therefore, his conduct disentitles him for grant of regular bail. It is next contended that the petitioner is a hardened criminal, involved in three other criminal cases and even if the complainant and the eye-witness have not supported the case of the prosecution, there is still sufficient material supported by the medical evidence to nail the petitioner/accused.

Without commenting on the merits of the case, keeping in view the antecedents of the petitioner and his conduct of absconding from the police custody, no case for grant of regular bail to the petitioner is made out.

Accordingly, the present petition stands dismissed.

May 17, 2016

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**(JASWANT SINGH)
JUDGE**