

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30337 of 2016

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Date of decision:30.8.2016

Amarjit Singh alias Kaka

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Naveen Batra, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.30 dated 9.4.2016 registered for the offences under Sections 452, 323, 324, 148 and 149 IPC and (Sections 326 and 450 IPC, which were added subsequently) at Police Station Chabbewal, District Hoshiarpur.

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

From the record, I find that as per FIR the complainant, namely, Gurnek Singh alias Neka along with Umesh Kumar was present on the shop then suddenly 12-13 persons on 7-8 motorcycles came outside his shop, who were holding 'datars' and 'kirpans' and had muffled faces. Out of them, Mandeep Kumar alias Pandit armed with 'Khanda', Mandeep and Amarjit (petitioner) along with two unknown persons entered in his shop and the

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unknown persons caught hold of him on the counter and then Mandeep gave a Khanda blow but to save himself the complainant raised his left hand, which hit on the back of his left hand. The second blow was given by Amarjit Singh with 'Khanda' on his left arm, then Mandeep gave two 'Khanda' blows, which hit on his left hand, then Amarjit Singh gave 'Khanda' blow which hit on the upper side of elbow of right arm, then Mandeep gave blow with the reverse side of the 'Khanda' on his left shoulder.

Keeping in view the fact that the present petitioner is named in the FIR and he was armed with a deadly weapon 'Khanda', he also caused injuries with 'Khanda' and has taken active part in the occurrence, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail. Otherwise also, he is required for custodial interrogation and the 'Khanda' is to be recovered from him.

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

August 30, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No