

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15318 of 2017
Date of Decision: 10.10.2017

Vinod Kumar @ Kalu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

Mr. V.G. Jauhar, Sr. D.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 164 dated 31.08.2016 registered for offences punishable under Sections 307, 148 read with Section 149 of Indian Penal Code (for short 'IPC') and 25 of the Arms Act (added later), at Police Station Division no. 8, Jalandhar.

Heard.

As per case of prosecution, the occurrence took place on 31.08.2016, wherein Lal Chand was caused several injuries.

Learned State counsel submits that Lal Chand had suffered 20 injuries out of which five injuries were on the head and declared dangerous to life. The petitioner was also identified by Lal Chand and has been attributed injuries with sharp-edged weapon on his head.

The police has presented challan against some of the accused after their arrest but the petitioner could not be arrested as he was evading

his arrest. In the meanwhile, trial Court has recorded the statement of injured-Lal Chand, wherein he again gave details of injuries suffered by him and has stated that the petitioner had caused him injuries on the head with *kirpan*.

Learned counsel for the petitioner submits that in the statement of injured-Lal Chand recorded under Section 161 Cr.P.C., by the police, petitioner has not been addressed as Vinod Kumar @ Kalu but only as Kalu. The petitioner has no enmity with injured or motive to cause him injuries.

Keeping in view facts of the case and on perusal of paper-book, I find that injured-Lal Chand had suffered 20 injuries, which include injuries on his vital parts. The petitioner was named by injured in his statement to the police. The case was still pending investigation before the police, when challan against other accused was presented. The other accused, who have been attributed similar injuries as were attributed to petitioner, have been arrested in this case.

Keeping in view all these facts and circumstances of the case, I find no reason to extend the benefit of anticipatory bail to petitioner at this stage.

Dismissed.

October 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No