

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

**CRM-M-18870-2017
Date of decision :26.09.2017**

Lovedeep Singh alias Lavi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. J.S. Brar, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

H.S. MADAAN, J.

This application for regular bail has been filed by petitioner – Lovedeep Singh @ Lavi an accused in FIR No.58 dated 29.08.2016 under Sections 307, 452, 325, 323, 148, 149 IPC (Section 325 IPC added later on vide Report No.23 dated 05.09.2016) registered at Police Station Kotbhai District Sri Muktsar Sahib.

Briefly stated the facts of the case as per prosecution story are that, FIR in this case was registered on the basis of statement of Satish Kumar son of Surinder Kumar resident of Kauni, Kotbhai, Sri Muktsar Sahib, Punjab. In the said statement dated 29.08.2016, the complainant had

stated that he is running two confectionery shops in Dhatha Chowk village Kauni, one shop is owned by them whereas other is on rent; that their Nohra (enclosed place) adjoins the shop, which is having one room and two *Verandahs*, and those are used for storing sweets; that at the time of filing earth in the *Nohra* its gate fell down, therefore, they placed the same in slanting position but it was not fixed permanently; that on 27.08.2016 at about 2 / 2:15 p.m. the complainant had gone to said *Nohra* to bring sweets, he had just entered there, then in the meanwhile Lovedeep Singh @ Lavi (present petitioner) came there in a Gypsy vehicle along with 4/5 unknown persons who were armed with hand-pump handles, iron rod and baseball bats, Gypsy was stopped and such persons followed the complainant in the *Nohra*; that the petitioner raised a *Lalkara* (exhortation) that they should teach lesson to Raju for causing injuries and the petitioner gave two blows of his iron hand pump handle on the head of the complainant with an intention to kill him striking him on his forehead; that the complainant fell down, the unidentified persons accompanying Lovedeep Singh @ Lavi caused injuries to the complainant on his head, arms and on the back with iron rod and baseball bat; that the complainant raised alarm hearing that, his brother Parveen Kumar @ Bhola came there, he also raised alarm which attracted his father Surinder Kumar and other persons of the village, on their arrival the assailants fled away from the spot along with their respective weapons while raising *Lalkaras*; that the motive of the incident was that 7 / 8 days earlier Lovedeep Singh @ Lavi had a quarrel with Manwinder Kumar son of elder brother of his (complainant's) father; that the injured was removed to Guru Gobind Singh Medical College, Faridkot where he was treated. Accused was arrested in this case.

After completion of investigation and other formalities they have been challaned. The case is pending for trial in the trial Court.

It has been intimated by the State Counsel that statements of two independent witnesses are yet to be recorded and cross-examination of the complainant is yet to be conducted. The allegations against the petitioner are very grave and serious, there is every likelihood of his trying to influence the witnesses if granted concession of regular bail. The apprehension expressed by the State counsel that he may abscond if granted bail cannot be brushed aside lightly. Therefore, I do not see any reason to grant regular bail to the petitioner at this stage, the petition in the regard stands dismissed.

26.09.2017

Gaurav Sorot

**(H.S. MADAAN)
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**