

CRM-M-39666 of 2017

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

CRM-M-39666 of 2017
Date of Decision: 07.11.2017

Gurjeet Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. A.D.S. Sukhija, Advocate, for the petitioners.
Ms. Bhavna Gupta, DAG, Punjab.
Mr. G.P.S. Bal, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to petitioners Gurjeet Singh and Karnail Singh in case FIR No.100 dated 18.09.2017 under Sections 307, 452, 506 and 34 IPC and Section 27 of the Arms Act, registered at Police Station Gidderbaha, District Muktsar Sahib.

According to the prosecution, petitioner No.1 gave an iron rod blow in the centre of the head of the complainant, whereas petitioner No.2 gave a wooden handle blow at the back of the complainant and another on his left bicep. Thereafter, petitioner No.1 gave another rod blow on the right hand finger of the complainant.

Learned counsel for the petitioners contends that after grant of anticipatory bail, petitioners joined the investigation, but their application was rejected in view of the statement of the investigating officer that they

did not co-operate in the investigation. Even the petitioner also did not get recovered the weapons of offence used in the occurrence. The injury

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allegedly suffered by the complainant on his head, has been declared as simple in nature by the medical officer. The petitioners are no more required for any custodial interrogation. They are ready to hand over the alleged weapons of offence and join the investigation.

On the other hand, learned State counsel, assisted by learned counsel for the complainant, vehemently opposed the prayer for grant of anticipatory bail to the petitioners submitting that the petitioners have caused injuries on the vital parts of the complainant, which could be fatal, but for timely aid complainant saved. In the year 2015 also, a fight had taken place between the parties for which the petitioners got lodged FIR against the complainant and on his statement, a cross-case was registered against the petitioner under Section 325 IPC. The investigation in that case has not been completed despite elapsing of two years for the reasons of political influence of the petitioners.

Considering overall facts and circumstances, but without commenting on the merits of the case, and the fact that the petitioner did not co-operate in the investigation and also did not hand-over the weapons of offence, they do not deserve the concession of anticipatory bail.

Dismissed.

November 07, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No