

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

**CRM-M-41815-2017
Date of decision-07.11.2017**

Gurpinder Singh @ Lally

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Prateek Pandit, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.193 dated 31.12.2015 registered under Sections 323, 324, 326, 307 and 148 read with Section 149 of the Indian Penal Code (in short 'IPC') at Police Station Adampur, District Jalandhar.

Contentends that the petitioner has been falsely implicated in the present case and the co-accused have already been granted anticipatory bail. He further contends that the application moved by the prosecution under Section 319 Cr.P.C for summoning was withdrawn qua the petitioner

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

This is a third bail petition. The first petition for grant of anticipatory bail was dismissed on merits, vide order dated 03.07.2017 whereas the second petition was dismissed as withdrawn vide order dated 25.09.2017. Learned counsel refers to Annexure P-7 to contend that application moved by the prosecution under Section 319 Cr.P.C for

summoning was withdrawn qua the petitioner. This cannot be said to be a favourable circumstance in favour of the petitioner. As per the complaint, the petitioner was armed with a datar and gave two datar blows on the right and left side of the head of the complainant. The FIR was registered on 30.12.2015. Thereafter, the petitioner has been successfully evading the process of law.

This Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

Consequently, the bail petition stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

07.11.2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No