

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

CRM M-14040 of 2018

Date of decision : 20.04.2018

Ajay Kumar

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Harjeet Savra, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 307/324/506/34 IPC vide FIR No. 103 dated 09.10.2017 at police station Kathgar, district SBS Nagar. It has been urged before the court that from bare perusal of the FIR no offence under section 307 IPC is made out against the petitioner. According to learned counsel, no injury is attributed to the petitioner. Name of the petitioner surfaced later on the basis of supplementary statement of the complainant. Thus, he deserves the concession of bail. Learned State counsel has opposed the prayer for bail on the ground that allegations against the petitioner are serious.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the statement of complainant Prince Mehmi. He alleged that on 04.10.2017 at about 8.30 P.M. he alongwith his

maternal aunt came out of the house. At that time, one Onkar Singh @ Gaggi was urinating in the street. When they objected to same, then Onkar Singh alongwith other accused starting abusing them. Accused Onkar Singh exhorted and said that complainant should be caught. Thereafter, Ajay Kumar (petitioner herein) alongwith Gurvinder Singh caught hold the arms of complainant and accused Onkar Singh gave a dagger blow towards left side of chest of the complainant. Other accused also inflicted number of injuries to the complainant. On hue and cry being raised by the complainant, all the accused fled from the scene of occurrence with their respective weapons while issuing threats. As a result, complainant was taken to Sangha Hospital, Ropar from where he was referred to PGI, Chandigarh. Pursuant to registration of FIR, investigation ensued. Petitioner is stated to have caught hold the arms of complainant when accused Onkar Singh gave a dagger blow on the left side of chest of the complainant. Said injury has been declared dangerous to life.

Keeping in view the serious nature of injuries caused, I am of the considered view that petitioner is not entitled to concession of bail. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is, thus, without any merit and is hereby dismissed.

April 20, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No