

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CRM-M-21594-2018

Date of decision:24.05.2018

Mangal Khan

...PETITIONER

Vs.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Naresh Gopal Sharma, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab
for the State.

Ms. Ramandeep Kaur, Advocate,
with Mr. Saurav Bhatia, Advocate,
for the complainant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of anticipatory bail in FIR No. 138 dated 04.05.2018 registered under Sections 323/325/148/149/382 IPC at Police Station Division No. 5, Ludhiana (Annexure P-1).

It is the contention of the learned counsel for the petitioner that the petitioner has been involved in the case because of rivalry with one Rahul, against whom he had given a complaint on 01.05.2018 and the petitioner has been named in the FIR in connivance with that person. He further states that even going by the allegations in the FIR, petitioner has given fist blows to the complainant. He, therefore, contends that the

petitioner be granted the benefit of concession of anticipatory bail as the petitioner is ready and willing to join investigation and co-operate with the same.

Counsel for the State, on the other hand, on instructions from ASI Chand Aheer, Police Station Division No. 5, Ludhiana, contends that one of the co-accused of the petitioner, namely, Gurvinder Singh @ Deepu has been arrested and he, in his statement while on police remand, has stated that the licensed revolver of the complainant along with the cartridges was taken away by the petitioner. The said licensed revolver along with the cartridges have to be recovered from the petitioner and, therefore, the custodial interrogation of the petitioner is essential.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that there are specific allegations against the petitioner in the FIR by naming him apart from that recovery of the revolver and the cartridges has to be effected from him, the custodial interrogation of the petitioner is essential.

In view of the above, finding no merit in the present petition, the same stands dismissed.

May 24, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No