

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

**CRM No. 844 of 2018 in/&
CRM M-42864 of 2017 (O&M)**

Date of decision : 22.03.2018

Bunty @ Mukesh Kumar

...Petitioner

V/s

State of Punjab

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. A.A. Pathak, Additional A.G. Punjab.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 326/323/324/341/427/148/149 IPC vide FIR No. 197 dated 12.10.2017 at police station Sultanwind, Amritsar.

Learned counsel for the petitioner has submitted that petitioner has been falsely implicated in this case. According to him, injuries attributed to petitioner are on non-vital part of the body. Thus, petitioner deserves the concession of bail. Learned State counsel has opposed the prayer for bail. He submits that both the injuries caused by petitioner were declared grievous and he is the main accused. Thus, custodial interrogation of the petitioner is required for taking the investigation to its logical end.

FIR was registered on the statement of Lovepreet Singh @ Luv. He stated that he was doing the work of arranging tractor trolley on hire at Grain Market, Amritsar. On 20.09.2017 at about 9:30 P.M. he alongwith his friend were going on the motorcycle to deliver the dinner and an LPG cylinder to his father. On the way, he was accosted by all the accused.

Accused Kuldip exhorted and said that complainant Lovepreet should not be escaped. One of the accused attacked complainant on the back with reverse side of sickle due to which he fell down. Thereafter, petitioner attacked the complainant with sickle which hit on his left hand palm and left forearm. Other accused inflicted number of injuries and also ransacked the motorcycle of the complainant. When complainant raised hue and cry, petitioner alongwith other accused fled from the scene of occurrence alongwith their respective weapons. As a result, petitioner had to be admitted to Guru Nanak Dev Hospital, Amritsar. Pursuant to registration of FIR, investigation ensued. Petitioner is stated to have inflicted two blows to complainant by sharp edged weapon. Both were 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. Dismissed.

As the main petition has been dismissed on merits, no order is required to be passed in the accompanying application.

March 22, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No