

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

CRM-M-43895-2018

Date of Decision: 09.10.2018

Ramandeep @ Mammu and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Anil Kumar Saini, Advocate for the petitioners.

Mr. Nikhil K. Chopra, Addl. A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioners have sought for anticipatory bail under the provision of Section 438 of Cr.P.C in case FIR No.69 dated 31.05.2018 registered under Sections 307, 452, 324, 323, 427, 506, 148, 149 IPC at Police Station Kathgarh, District S.B.S. Nagar (Punjab).

2. Learned counsel for the petitioner submitted that present FIR is counter blast to the FIR dated 23.04.2018 (Annexure P-4). Perusal of the FIR, it is evident that large number of persons attacked the complainant and their family members while entering into their house and causing injury which are dangerous to life, so Section 307 IPC is attracted. It is further submitted that no injury has been attributed to the petitioner and 2nd petitioner was not present. To that extent, he has produced the pleadings of some victims.

3. However, these material could be examined during the consideration of regular bail. If the accused have not attributed specific role/injury, at the same time, the petitioner was member of unlawful assembly and the offence under Section 148/149 IPC is attracted. As concerned for the presence of 2nd petitioner, this fact is yet to be verified. Thus, petitioners have not made out a case so as to extend the benefit of anticipatory bail.

4. Accordingly, petition stands dismissed.

09.10.2018

rajeev

(P.B. Bajanthri)

Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No