

CRM-M-4726-2019

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

CRM-M-4726-2019

Date of Decision: 28.02.2019

Jora Singh

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Madan Sandhu, Advocate,
for the petitioner.

Mr. Kuldeep Tiwari, Addl. P.P. U.T. Chandigarh.

INDERJIT SINGH, J.

Status report on behalf of Sh. Ram Rattan Sharma, Inspector, S.H.O. Police Station Sarangpur has been filed in the Court today. Same is taken on record.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.279 dated 06.11.2018, registered at Police Station Sarangpur, U.T. Chandigarh, under Sections 341, 323, 506 and 34 of the IPC and Section 307 of the IPC added later on.

Notice of motion was issued in this case. Learned Addl. P.P has put in appearance on behalf of the respondent-U.T. Chandigarh and contested this petition.

I have heard learned counsel for the petitioner as well as learned Addl. P.P. for U.T.Chandigarh and gone through the record.

CRM-M-4726-2019

From the record, I find that FIR, in the present case, was registered on the statement of Satinder. As per the FIR, when the complainant alongwith his brother was coming to fish market, then the present petitioner alongwith his friends was standing there and gave lathi, kick and fist blows without any reason in connection with fare of vehicle. On raising hue and cry, all of them fled away from the spot. The brother of complainant fell down unconscious at the spot due to excessive injuries. The doctor has declared the head injury as dangerous to life.

I have gone through the order of learned Additional Sessions Judge, Chandigarh where it is the case of petitioner that to save himself, he tried to defend himself and fight with the complainant, but at that time, he was alone and the complainant was accompanied with other persons who attacked on him and he received injuries.

Keeping in view the above facts and the plea taken by the present petitioner before the lower court, it shows the active participation of the present petitioner in the commission of offence. Furthermore, the petitioner is named in the FIR and stated to be as one of the main accused.

In view of the above, I find that the petitioner is required for custodial interrogation and, therefore, he is not entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

28.02.2019

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No