

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

CRM-M No.29754 of 2019

Date of decision: 18th December, 2019

Ravi Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Manmeet Singh, Advocate for
Mr. Randeep S. Rana, Advocate for the petitioner.
Mr. Pawan Sharda, Sr. Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

In this second regular bail application under Section 439 Cr.P.C. filed by the petitioner Ravi Kumar in case bearing FIR No.111 dated 24.05.2018 under Sections 307, 324, 452, 354, 506, 120-B, 148, 149 IPC (Sections 326, 323, 450 IPC added and Section 452 deleted subsequently) pertaining to Police Station Sadar Phagwara, District Kapurthala, the allegations are as follows:-

The complainant wife of injured Jaswinder Pal got registered the present case on the allegations that she along with her husband were having un-cordial relations with accused Buta Singh who had an evil eye on her. It is alleged that earlier husband of the complainant, injured Jaswinder Pal had registered a case against Buta Singh and there was intermittent exchange of hot words. It is alleged that on 24.05.2018,

accused petitioner Ravi Kumar armed with baseball bat along with co-accused Buta Singh armed with kirpan, Dharminder Singh datar, Mahavir Singh sota, Satnam Singh armed with datar and Ramandeep Singh empty handed trespassed into their house and assaulted husband of the complainant Jaswinder Pal and at that time there were some unidentified persons with them. All the accused assaulted Jaswinder Pal and Paramjit Singh. Jaswinder Pal has been inflicted 33 injuries on different parts of the body with different types of weapons leading to registration of the case, arrest of the petitioner and recovery of the weapons of offence.

Learned counsel representing the petitioner Mr. Manmeet Singh, Advocate inter alia submits that the petitioner is behind bars since a long time and that none of the injuries fall within the definition of dangerous to life. It is sought to be averred that there is nothing in the medical evidence to support the stand of the State and that the trial is not likely to conclude in the near future.

On behalf of the State, Mr. Pawan Sharda, Sr. Dy. Advocate General, Punjab on instructions from ASI Balwinder Rai, has vehemently opposed the grant of bail on the grounds that similar earlier bail application of the petitioner was declined by this Court on 23.04.2019 and that there are 33 injuries on the person of the injured and if allowed bail the petitioner might stifle the trial.

Going through the arguments of the two sides, as is reflected from the medical records, throughout the body of the victim there are 33

injuries on various parts caused by different weapons of different nature. The claim that no offence under Section 307 IPC is made out, is too preposterous as the cumulative effect of all these injuries is subject to evidence at the trial, as the injuries suggest it is by mere providence the injured has escaped from death. In view of the heinousness of the offence, seriousness of allegations and in the light of apprehension of the State as well, no cause for grant of bail is made out. Thus, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

December 18, 2019
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No