

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-33971 of 2019

Date of decision:27.08.2019

Sahil Kukreja

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. L.M. Gulati, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.274 dated 2.9.2018 registered for the offences under Sections 325, 323, 148 and 149 IPC and (Section 302 IPC, which was added later on), (whereas challan has been presented under Section 304 IPC), at Police Station City Rajpura, District Patiala.

I have heard learned counsel for the petitioner and have gone through the record.

A perusal of the record shows that the FIR was registered for the offences 325, 323, 148 and 149 IPC and later on the offence under Section 302 IPC was added, whereas earlier the case was under Section 304 IPC.

From the record, I find that the earlier bail petition of the petitioner was dismissed as withdrawn vide order dated 28.5.2019 passed by

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this Court as at that time after arguing for some time, learned counsel for the petitioner has withdrawn the petition. I have gone through the contents of the FIR. The FIR was registered on the statement of injured Paramjit Singh, who later on died. The petitioner is named in the FIR. As per the allegation, Sahil Kukreja gave a call to Paramjit Singh to come to Old Anaj Mandi, Rajpura at 7.00 p.m. Then he and Sahil Kumar and their friend Shiv Kumar reached Old Anaj Mandi. Then Sahil Kukreja gave a call to Saurav Kumar at about 7.55 p.m. for giving the money and it was around 8.46 p.m., then two boys came on the motorcycle, who were having wooden handles of spade and in the meantime three persons each came on other two motorcycles, who were also carrying wooden handles of spade and injuries were given to the injured/deceased.

Paramjit Singh injured was admitted in the hospital and he later on succumbed to the injuries. Jagdev Singh-brother of the injured gave a statement to the Police on 22.8.2018 that Paramjit Singh told him that Sahil Kukreja and his friend Saurav Kumar etc. got him beaten.

Keeping in view the nature and gravity of the offences and in view the facts and circumstances of the present case, I find that the petitioner is required for custodial interrogation, therefore, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

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

August 27, 2019.

(Inderjit Singh)
Judge

hsp

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NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No