

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

CRM-M-40400-2019 (O&M)

Date of decision: 27.09.2019

Vinod Kumar @ Kaka @ Pawa

.... Petitioner

vs

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sahil Puri, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

Manjari Nehru Kaul, J. (Oral)

Prayer in the petition filed under Section 438 Cr.PC is for grant of anticipatory bail in case FIR No.102 dated 04.05.2019 registered under Sections 302, 148 and 149 IPC at Police Station City Kapurthala, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant case on the basis of suspicion and previous enmity. He has further submitted that his name did not find mention in the FIR and for the first time figured only in the supplementary statement of the complainant. It is contended that the only role attributed to the petitioner even in the supplementary statement is a datar injury, which he allegedly inflicted on the right wrist of the deceased, which was not the cause of the death.

Learned State counsel on the other hand has submitted that the name of the petitioner figured in the supplementary statement, which was recorded soon after the recording of the FIR on the same date wherein a

specific overt act has been attributed to him. He further submitted that he was sharing a common intention with the co-accused in causing injuries to the deceased.

Heard.

I do not find any ground to grant the extraordinary concession of anticipatory bail to the petitioner. The supplementary statement of the complainant reveals that all the accused including the petitioner were armed with sharp edged weapons when they came to the spot on their motorcycles and encircled the deceased. Hence, prima facie all the accused shared a common intention to commit the crime.

Accordingly, the present petition is dismissed.

27.09.2019
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No