

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

**CRM-M-46382-2019
Date of decision: 05.11.2019**

Sukhjinder Singh @ Sukha and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naresh Jain, Advocate
for the petitioners.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 162 dated 13.10.2019, under Sections 379-B, 324, 323, 341, 148 and 149 of the IPC at Police Station Gidderbaha, District Sri Muktsar Sahib.

Learned counsel for the petitioners submits that as per the allegations in the FIR, registered at the instance of complainant Hardeep Singh, it is stated that on 13.10.2019, he was going on a motorcycle with his grandfather Surjit Singh and when they reached near canal at the outskirts of the village, they were intercepted by a vehicle driven by co-accused Lakhi Kingra and petitioners were sitting in the said vehicle. It is further stated that petitioner No. 1 Sukhjinder Singh @ Sukha was having a revolver, petitioner No. 2 was having a *Gadasi* (axe) and co-accused Lakhi Kingra was having a *Kirpan* (sword) and two other persons were also having weapons like wooden handles. Thereafter, petitioner No. 2 Jagmeet Singh gave two *Gandasi* blows from its reverse side which hit on the chest and neck of the complainant and petitioner

No. 1 Sukhjinder Singh @ Sukha snatched the silver chain worn by the complainant around his neck.

Learned counsel for the petitioners further submits that the injury attributed to petitioner No. 2 is simple in nature, whereas no injury is attributed to petitioner No. 1.

Learned State counsel, on instructions from ASI Baj Singh, has opposed the grant of anticipatory bail to the petitioners on the ground that both the petitioners are habitual offenders and petitioner No. 1 stands convicted for seven years in FIR No. 261 dated 22.10.2002, under Sections 302, 201, 34 of the IPC and Sections 25, 27 of the Arms Act at Police Station Sadar Sirsa and apart from it, three more FIRs, i.e. FIR No. 124 dated 25.10.2015 under Sections 324, 323, 34 of the IPC, FIR No. 149 dated 27.09.2019 under Sections 447, 511, 506, 148, 149 of the IPC, both at the present Police Station as well as FIR No. 51 dated 03.04.2018 under Sections 364, 34 of the IPC and Section 25 of the Arms Act at Police Station City Sri Muktsar Sahib are already pending against the petitioners and co-accused Lakhi Kingra.

After hearing learned counsel for the parties and considering the nature of the offence and also in view of the fact that petitioners are already involved in some other FIRs and even petitioner No. 1 stands convicted in aforesaid FIR No. 261 for a period of seven years, I do not find any ground to grant concession of anticipatory bail to the petitioners as their custodial investigation is required.

Accordingly, the present petition is hereby dismissed.

05.11.2019

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

(ARVIND SINGH SANGWAN)

JUDGE

*Yes/No
Yes/No*