

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

CRM-M-47314-2019(O&M)

Date of decision: 06.11.2019

Sunny @ Sunny Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Ritesh Pandey, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of pre-arrest bail in FIR No. 73 dated 21.9.2019 registered under Sections 323, 324, 341, 506, 148, 149 IPC (Section 326 IPC added later on) at Police Station Tibber Tehsil and District Gurdaspur.

Facts as noticed by the Court of Sessions while dismissing the application for grant of pre-arrest bail are extracted as under:-

“Present FIR was got registered by Raju Masih with the allegations that on 18/9/2019, he alongwith Abhi was coming from Village Bahian towards his village Nawan Pinda Sardara after watching a fair and he was driving the motorcycle. At about 7:15 P.M, when they were near their village, Sunny armed with Datar, Vijay Masih armed with baseball bat, Israel alias Saab armed with Datar, Airak alias Kala armed with dang and Bheera Masih empty handed met them and they stopped their motorcycle.

Accused Bheera Masih raised Lalkara instigating the

co-accused to catch the complainant and to teach him a lesson for helping their daughter in solemnizing a love marriage, on which, Vijay Masih gave a blow with baseball bat to the complainant which hit on right side of his head, Airak alias kala gave three dang blows to him. Israel gave a blow of reverse side of Datar, which hit on his right wrist and he also gave two fist blows on his face. Accused Sunny gave a Datar blow which hit on his right leg. Complainant fell down on the ground and raised alarm, on which, the assailants fled away from the spot alongwith their respective weapons.”

It is the case of the prosecution that petitioner had given datar (a sharp edged weapon) blow to the injured which had hit on his right leg and the aforesaid injury has been declared grievous.

In view of the aforesaid facts, no ground to grant concession of pre-arrest bail to the petitioner is made out.

Dismissed.

06.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No