

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3214-2020

Date of Decision: 24.01.2020

Harwinder Singh @ Harvinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Ms. GK Mann, Advocate for the petitioner.

Mr. SS Khaira, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

Mr. SS Khaira, Advocate has put in appearance on behalf of complainant on his own and filed Vakalatnama, which is taken on record. Be tagged at the appropriate place.

Through this second petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No. 100 dated 04.12.2018, under Sections 307, 323, 452, 506, 148 and 149 IPC Sections 307, 452, 148 and 149 IPC deleted in July, 2019 by Special Investigation Team and now Section 326 IPC was added on 08.12.2019), at Police Station Khamano, District Fatehgarh Sahib.

According to prosecution, a cross-fight amongst the complainant and accused party took place in the evening of 04.12.2018, on some dispute over electric motor of the tube well of Gurnek Singh.

Learned counsel for the petitioner *inter alia* contends that

now Section 307 IPC has been deleted. Petitioner has not been attributed injury under Section 326 IPC caused to injured-Paramjit Kaur. Role attributed to the petitioner that he gave a sword blow to the lip and chin of complainant, but, as per medical report, there is no such injury suffered by the injured. Co-accused of petitioner, namely; Jaswinder Singh and Amarjit Singh, have been granted interim bail. Thus, treating the case of petitioner on the same parity, he may also be enlarged on bail.

On the other hand, learned counsel for the complainant producing photograph of injured-Paramjit Kaur, showing seriousness of attack by the petitioner and his accomplice on the complainant party, submits that there are 5 more FIRs against the petitioner. He is a hardcore criminal.

The photograph produced by learned counsel for the complainant is taken on record. Be tagged at the appropriate place.

Considering the overall facts and circumstances of the case and photograph of injured, no fresh ground is made out to grant anticipatory bail to the petitioner, after dismissal of his earlier petition.

Dismissed.

January 24, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No