

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-12154-2020

Date of decision : 21.12.2020

Gagandeep Singh @ Deep

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.K.S.Saini, Advocate,for the petitioner.

Mr.Hittan Nehra, Addl.A.G., Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.79 dated 04.05.2019, registered under Sections 323/324/341/307/506/148/149 IPC at Police Station City Ropar, district Ropar.

Briefly stated, the case of the prosecution is that on 29.04.2019 at about 11:15 a.m. when the complainant was going on his motorcycle the petitioner alongwith 8/10 persons stopped and gave him beatings; the petitioner gave a blow with an iron rod upon the complainant's forehead; the other co-accused also gave him beatings; when the complainant tried to flee the petitioner took out his revolver and threatened him; the complainant did manage to flee from the spot but the petitioner and his co-accused chased him; the petitioner then took a sword from co-accused Vicky and gave a blow near the complainant's neck which landed on the left side of his face and only when other people gathered at the spot the petitioner and his co-accused fled from the spot.

Learned counsel for the petitioner submits that the petitioner is a student; the petitioner and the complainant have entered into a compromise and on the basis thereof the petitioner has filed a petition before this Court seeking quashing of the FIR and under the interim orders passed by this Court the petitioner has joined the investigation.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner is accused of inflicting serious injuries on the complainant; there is another criminal case under Sections 323/324 IPC pending against him and though he has joined investigation he did not cooperate with the investigating agency as he did not get the weapons used in the offence recovered.

The present FIR has been registered against the petitioner for attempting to murder the complainant; the petitioner and his co-accused, who were armed with a pistol and other weapons caused as many as six injuries on the complainant out of which the petitioner is attributed two injuries one of which is with an iron rod on the complainant's forehead and another with a sword on his face. The petitioner is further alleged to be carrying a pistol, after brandishing of which he is alleged to have threatened to kill the complainant in case he discloses the incident to anyone. The petitioner is also facing trial in another criminal case and while on bail in that case is alleged to have committed the present offence. He thus has allegedly misused the concession of bail granted to him earlier. As per the status report filed by the State the petitioner did not cooperate with the investigating agency as he refused to get recovered the iron rod, sword and pistol allegedly used by him in the commission of the offence.

In view of the above custodial interrogation of the petitioner is considered necessary.

Dismissed.

21.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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