

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-16566-2020(O&M)

Date of Decision: 07.08.2020

Gursewak Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

Mr. K.D. Sachdeva, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.50 dated 6.5.2020 registered under sections 302, 307, 323, 326, 324, 341, 188, 506, 148, 149 I.P.C, sections 51 and 54 of Disaster Management Act, 2005 (later on Section 3 of Scheduled Castes Scheduled Tribes (Prevention of Atrocities) Act was added) at Police Station, Pasyana, District Patiala.

Counsel would submit that name of the petitioner does not figure in the FIR as he was not named by the complainant Yadwinder Singh and who was an eye witness to the alleged occurrence. Further argues that there is no specific attribution of any injury/role to the petitioner and who otherwise is ready and willing to join investigation.

Having heard counsel at length, this Court is of the considered view that the prayer in the instant petition cannot be accepted.

It may be noticed that FIR came to be registered on the statement of Yadwinder Singh in relation to an alleged occurrence dated 5.5.2020. In such occurrence brother of the complainant namely Bhupinder Singh was done to death. That apart, the complainant himself as also one Balwinder Singh have suffered serious injuries and which have attracted offence under Section 307 I.P.C.

Keeping in view the gravity of the offence as also coupled with the fact that offence under the provisions of the Scheduled Castes Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been cited, it would be a case which may entail custodial interrogation of the petitioner.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

07.08.2020

lucky	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No