

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

(Proceedings conducted through video Conference)

201

CRM-M-24678-2020 (O&M)

Date of decision: 03.09.2020

SUKHDEV RAI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gautam Thapar, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

REKHA MITTAL, J. (Oral)

Sukhdev Rai, one of the accused in FIR No.62 dated 20.06.2020 registered at Police Station Sadar Phagwara, District Kapurthala for offence punishable under Sections 307, 323, 324, 148 and 149 IPC (offence under Section 326 IPC added later) prays for grant of bail in anticipation of arrest.

Counsel for the petitioner would argue that the petitioner has been falsely indicted in the crime. It is further argued that the petitioner has been attributed injury on back of the victim and the same is shown at serial No.8 in the medico legal report. It is further argued that injury No.8 is reddish contusion on the back caused with a blunt weapon. The last submission made by counsel is that petitioner is ready to join investigation and co-operate through-out.

Counsel representing State of Punjab has conceded that injury No.8 has been attributed to the petitioner. However, she would argue that all the accused including the petitioner entered fields of complainant Mohan Lal and caused injuries to him. It is further argued that the present petitioner has been attributed dater blow on back of the complainant.

As per allegations, the petitioner along with his co-accused armed with Kirpan, daters and iron rods chased the complainant and his nephew Akashdeep Singh. Sonu (non-applicant) gave dater blow on back side of his head and another blow on his head and the complainant fell down. Akashdeep Singh came forward to save the complainant but the accused gave injuries to him and he also fell down. Sukha gave dater blow

with an intention to kill which hit on his right arm. Another blow given by Sukha hit him on his elbow. Sukha son of Jaswant Rai gave dater blow on his back. Pankaj gave dater blow from reverse side on his left arm. Deep Fateh gave iron rod blow on his right leg and knee. The accused snatched away mobile and driving licence of the complainant. Taking into consideration the manner in which the petitioner and various others assailed the complainant and caused injuries to him, the petitioner does not deserve to be extended benefit of bail in anticipation of arrest.

Dismissed.

03.09.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No