

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 206

CRM-M-26880-2020

Date of decision : 15.10.2020

Ram Gopal

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Dhaliwal, Advocate, for the petitioner.

Mr.Rajat Gautam, DAG, Haryana.

Mr.G.S.Sidhu, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.158 dated 09.07.2020 registered under Sections 147, 149, 323, 324, 326 and 506 IPC at Police Station Kalanwali, District Sirsa.

The case of the prosecution is that in the afternoon of 07.07.2020, the petitioner alongwith his co-accused came in two cars to the place where the complainant-Satnam Singh and Lakhbir Singh were having tea; after coming out of the cars the petitioner who was carrying a sword inflicted an injury on Lakhbir Singh's head; he then again intended to hit Lakhbir Singh on his head but since Lakhbir Singh raised his right hand in his defence, the petitioner injured his right hand; when the complainant tried to intervene co-accused Gurwinder Singh attacked him with his sword and injured his left hand; co-accused Govind gave an injury on the complainant's back with his sword; co-accused Rama and Gajji also attacked the complainant with the hilt of their swords; the petitioner and co-accused Rama were carrying pistols; Rama took out of his pistol and extended threats to kill the complainant; other co-accused then gave beatings with iron rods

and sticks on the back of the complainant and after hearing their cries when people gathered at the spot the assailants fled away.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; co-accused namely Rama, Gaaji, Deepak @ Deepu and Paramjit Singh Jaggi have been granted regular bail by the Trial Court and that the Medico Legal Report (MLR) does not support the case of the prosecution.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he has caused two injuries with his sword to Lakhbir Singh out of which one is a grievous injury on his head and that another FIR bearing No.176, dated 31.07.2020, registered under Sections 452, 502 and 120-B IPC, at Police Station Dabwali, District Sirsa, is pending against him.

The petitioner is alleged to have caused two injuries with his sword on the person of Lakhbir Singh out of which one injury has been opined as grievous and that too on Lakhbir Singh's head; the prosecution's case is duly corroborated by medical evidence in the form of MLR of Lakhbir Singh; the petitioner is also wanted in another FIR bearing No.176, dated 31.07.2020; the sword with which the petitioner had allegedly inflicted injuries on Lakhbir Singh and the pistol that he was carrying are still to be recovered.

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

Dismissed.

15.10.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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