

In the High Court of Punjab and Haryana, at Chandigarh

1. Criminal Misc. No. M- 26569 of 2020

Jagjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

AND

2. Criminal Misc. No. M- 26573 of 2020

Roop Lal

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

Date of Decision: 08.09.2020

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Vishal Munjal, Advocate
for the petitioners.

Mr. Amit Mehta, Senior Deputy Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

By this order, Criminal Misc. No. M-26569 of 2020 and
Criminal Misc. No. M-2657 of 2020 shall stand disposed of.

The above said petitions have been filed for grant of pre-arrest
bail in a criminal case arising from FIR No. 0146 dated 09.08.2020 under
Section 307, 324, 323, 148 & 149 IPC, at Police Station Shahpur Kandi,
Tehsil and District Pathankot. Jagjit Singh is the petitioner in Criminal
Misc. No. M-26569 of 2020, whereas Roop Lal is the petitioner in Criminal

Misc. No. M-2657 of 2020.

In a nutshell, the case of the prosecution is that when the first informant along with his cousin, was coming back to the village, the petitioners along with the others, had obstructed their way and caused injuries. The petitioner-Jagjit Singh is alleged to be armed with a Kirpan and has given a blow on the head of first informant-Ankit which has been declared dangerous to life.

As regards the petitioner-Roop Lal, it is alleged that he had given injury with an iron rod on the left ankle of the first Informant-Ankit.

Learned State counsel, on the instructions of Assistant Sub Inspector Lekhraj, has informed this Court that the first informant-Ankit suffered a fracture of his left ankle.

Learned counsel for the petitioners contends that in fact the petitioners have been falsely implicated on account of the previous FIR having been registered by Kiran Devi, wife of Jagjit Singh. He further submits that Kiran Devi has been granted the concession of interim pre-arrest bail.

This Court has considered the submissions of learned counsel for the parties. As per the case of the prosecution, the petitioners have given serious injuries to the first informant and his cousin, namely Shubham Kumar. It will be matter of trial as to whether the present FIR is in counterblast to the first FIR, which was got registered by Kiran Devi or not. At this stage, it would not be appropriate for this Court to express any opinion.

As regards the order passed in the case of Kiran Devi, it will be noticed that she was granted the concession of pre-arrest bail, keeping in view the fact that she is a mother having minor children.

Keeping in view the aforesaid facts, there is no ground to grant the concession of pre-arrest bail to the petitioners. Hence, both the petitions are dismissed.

**(Anil Kshetarpal)
Judge**

September 08, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No