

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CRM No. M-32682-2020

Date of Decision : 19.10.2020

PARDEEP SAINI @ DEEP FATEH

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manmeet Singh Rana, Advocate for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

(keeping in view advance copy given)

Harsimran Singh Sethi, J. (Oral)

Present petition has been filed under Section 438 of the Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No. 62 dated 20.06.2020, under Sections 307, 323, 324, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Sadar Phagwara, District Kapurthala.

Learned counsel for the petitioner argues that the role which has been attributed to the petitioner is only of inflicting a simple injury. Learned counsel for the petitioner submits that in fact the petitioner has wrongly been roped into the present FIR and the allegations alleged against the petitioner are false and incorrect. The prayer of the petitioner is for the grant of anticipatory bail.

Notice of motion.

Mr. Luvinder Sofat, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the

respondent-State. Learned State counsel submits that total 5 accused were named in the FIR and they were armed with Swords, *datar* and Iron rods. Learned State counsel further submits that keeping in view the injuries which have been received by the victim, all the accused attacked with the common intention to kill the victim. Learned State counsel submits that nothing has been placed on record by the learned counsel for the petitioner to support that the injuries which have been attributed to the petitioner are simple in nature.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Serious allegations have been alleged against the petitioner and other co-accused. As per the allegations, all the accused were armed with Swords, *datar* and Iron rods and the injuries, which have been inflicted upon the victim, are grievous in nature. The custodial interrogation of the accused to unearth the actual truth and also to recover the weapons attributed to the accused in the FIR is necessary. The anticipatory bail of co-accused, namely, Sukhdev Rai has already been rejected by this Court while deciding CRM No. M-24678 of 2020 on 03.09.2020.

Keeping in view the facts and circumstances recorded above, no ground is made out to grant the petitioner the benefit of anticipatory bail.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 19, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*