

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 43070 of 2019

Date of Decision: 06.1.2020

Joginder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sahil Puri, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Vijay Rana, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 35 dated 17.5.2019 under Sections 323, 324, 452, 307, 326, 148, 149 IPC registered at Police Station Begowal, District Kapurthala.

Learned counsel for the petitioner submits that petitioner is in custody since 29.7.2019. He further submits that it is a case of free fight and the petitioner has also suffered injury on his head and in this regard a cross case bearing DDR No. 25 has also been got registered by the petitioner. He further submits that the injuries suffered by Baljinder Singh at the hands of the petitioner were kept under observation and the injury suffered by Joginder Kaur was declared simple in nature and no grievous injury has been attributed to the petitioner and hence, Section 307 IPC has been wrongly added.

On the other hand, learned State counsel and the learned counsel for the complainant opposed the bail application.

After hearing the learned counsel for the parties and the learned State counsel, I am of the considered view that the instant petition deserves to be dismissed.

In the present case, the petitioner has been specifically named in the FIR. The allegations against the petitioner are that he gave datar blow to Baljinder Singh on his head with an intention to kill him, however, in order to save himself, Baljinder Singh raised his left hand and his left wrist was cut. The petitioner also gave *datar* blow to Amrik Singh and gave datar blow in the abdomen of Joginder Kaur wife of Mohinder Singh. The petitioner along with other co-accused had attacked upon the complainant party with deadly weapons with intention to kill some persons of the complainant party. The allegations against the petitioner are serious in nature.

No ground for grant of regular bail to the petitioner is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

January 06, 2020
Gurpreet

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