

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

**CRM-M-50688-2019 (O&M)
Date of Decision : 30.01.2020**

Sewak Singh @ Gursewak Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Mr. Pawan Sharda, Senior DAG, Punjab.

Mr. Aminder Singh, Advocate
for the complainant.

RAMENDRA JAIN, J. (Oral)

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.148 dated 18.09.2019, registered under Sections 341, 323, 324, 506, 148, 149 IPC (Section 326 IPC added lateron), at Police Station City-1, Sangrur District Sangrur.

According to prosecution, in the evening of 17.09.2019, petitioner alongwith his accomplice caused eight injuries to complainant, out of which one was declared grievous. The said grievous injury was attributed to petitioner.

Learned counsel *inter alia* contends that petitioner was earlier granted bail. The necessity has arisen to file this petition for extending the benefit of anticipatory bail on account of adding

Section 326 IPC. No recovery has been effected from him. He has falsely been implicated.

Learned State counsel assisted by counsel for complainant, refuting the above contentions, submits that grievous injuries caused to complainant with a sword is attributed to petitioner. Earlier grant of anticipatory bail to petitioner now cannot be made a ground to extend the same benefit after adding Section 326 IPC.

Having considered rival submissions, the petitioner is not entitled to anticipatory bail, inasmuch as he is required for custodial interrogation for the recovery of sword used in the commission of crime.

Dismissed.

30.01.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No