

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.55614 of 2019
DATE OF DECISION:08.01.2020

Gurpal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Manoj Kumar Sharma, Advocate
for the petitioner.

LALIT BATRA, J. (Oral)

Present petition under Section 438 Cr.P.C is for grant of anticipatory bail to petitioner-Gurpal Singh in case F.I.R. No.57 dated 11.11.2019 under Sections 324, 341, 427 and 506 IPC read with Section 34 IPC and offence under Section 326 IPC added later on, registered at Police Station Behrampur, District Gurdaspur.

Notice of motion.

Mr. Harbir Sandhu, AAG, Punjab, accepts notice on behalf of respondent-State. Mr. Dheeraj Mahajan, Advocate, who is already present in the Court, has put in appearance on behalf of complainant-Pardeep and filed Power of Attorney. Complete copies of paper book have been supplied to them.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous

and there is no iota of truth therein. He further urges that there is delay of six days in lodging the FIR and that too without any plausible explanation. He further urges that allegedly simple injuries and that too on non-vital organs of body on the person of Pardeep Singh were attributed to the petitioner but thereafter due to manipulation offence under Section 326 IPC has been added lateron just to show the seriousness of offence. He further urges that petitioner is ready to join investigation as and when required and, thus, he may be released on anticipatory bail.

On the other hand, learned State counsel assisted by learned counsel for the complainant while opposing instant petition has vehemently urged that grievous injury by means of sharp edged weapon and that too above the right eyebrow of injured-Pardeep Singh (complainant) has been attributed to petitioner and, thus, in view of seriousness of offence, petitioner does not deserve the concession of anticipatory bail.

I have heard learned counsel for the parties and have carefully gone through the record of the case.

Without commenting anything on the merits of the case, allegedly petitioner inflicted blow of sharp edged weapon (kirpan) above the eyebrow of right eye and then further inflicted injuries on the right arm shoulder and back of injured-Pardeep Singh. Learned State counsel has specifically pointed out that injury inflicted above the right eyebrow

and that too by means of sharp edged weapon, said injury has been declared grievous in nature by the Board of Doctors of Civil Hospital Gurdaspur and as such offence under Section 326 IPC has been added lateron.

In view of above, in case concession of anticipatory bail is extended to petitioner, it would lead to lawlessness in the society. Keeping in view totality of entire scenario, no extra-ordinary ground has been made out in favour of petitioner for his entitlement of anticipatory bail.

As a sequel to above, instant petition for grant of anticipatory bail moved by the petitioner is dismissed.

(LALIT BATRA)
JUDGE

08.01.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No