

CRM-M-3206 of 2021

**113IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-3206 of 2021
Date of decision: 25.01.2021

Prabhdeep Soomal

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.S. Thakur, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.246 dated 19.12.2020 under Sections 341, 323, 324, 325, 326, 307, 148 and 149 IPC registered at Police Station Goraya, District Jalandhar Rural.

Briefly stated, the case of the prosecution is that on 18.12.2020 the petitioner, armed with baseball bat, Sukhdeep Singh @ Deepa, armed with datar and other co-accused armed with lathis/sticks attacked Surinderpal Singh for the reason that Surinderpal Singh had recently appeared before the Trial Court in a case against accused. The incident resulted in three fractures on Surinderpal Singh which included two on his

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legs and one on his right wrist/elbow.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case due to enmity between the family of the petitioner and the complainant party; the injury attributed to the petitioner is on a non-vital part and that he is ready and willing to join the investigation as and when called by the investigating agency.

Learned State counsel, who appears on advance notice, opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner and his co-accused have given merciless beatings to the complainant resulting in three fractures on his person and that the petitioner is involved in another criminal case under Section 307 IPC as also the Arms Act.

There are serious allegations against the petitioner that he along with his co-accused, duly armed, gave merciless beatings to the complainant resulting in three fractures on his person; the petitioner is alleged to have caused one of the fractures with a baseball bat; he is also involved in another criminal case of attempt to murder and Arms Act and while on bail in that case he is alleged to have attempted to murder the complainant, thus misusing the concession of bail granted to him in the aforesaid case.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not

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construed as opinion on the merits of the case as trial of the petitioner is yet to take place.

January 25, 2021
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No