

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 204

CRM-M-3504-2021

Date of decision : 05.02.2021

Gursharan Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Veneet Sharma, Advocate, for the petitioner.
Mr.Amit Mehta, Sr.DAG, 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.121, dated 23.06.2019, registered under Sections 323/324/452/34 IPC (Sections 325/326 IPC added later on) at Police Station Ajnala, Amritsar Rural, district Amritsar.

Briefly stated, the case of the prosecution is that on 23.06.2019, at about 7 a.m., Sukhraj Singh armed with a datar, Gursharan Singh-petitioner armed with a kirpan, Inderjit Kaur armed with a sota (wooden stick) trespassed into the complainant's house and inflicted several injuries on the complainant and his family members which includes a grievous injury by the petitioner with his kirpan on Balbir Kaur's forehead and nose.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case for the reason that the complainant's and the petitioner's fathers are brothers who have differences amongst them; it is the petitioner who was attacked by the complainant party as a result whereof has received an injury on his head; he is not involved in any other criminal case and that he is ready and willing to join the investigation as and when called by the investigating agency.

Learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is attributed a grievous injury on the forehead and nose of the complainant's daughter and that recovery of the weapon used in the offence is still to be made.

A perusal of the medico legal report and photograph of the complainant's daughter-Balbir Kaur reveals a 7 centimeters deep gash on her forehead which injury has been declared to be grievous and is specifically alleged to have been inflicted by the petitioner after trespassing into the complainant's house.

In view of the above as also for the reason that recovery of the sharp edged weapon allegedly used by the petitioner is still to be made, the petitioner is held not entitled to the grant of anticipatory bail.

Dismissed.

05.02.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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