

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

CRM-M-6440-2021 (O&M)

Date of decision: 08.03.2021

Amandeep Singh @ Gagnal @ Gagna

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

Reply filed by State counsel be taken on record.

This petition for pre-arrest bail has been filed by petitioner Amandeep Singh @ Gagnal @ Gagna, an accused in FIR No.152 dated 07.11.2019, for offences under Sections 451, 323, 324, 148, 149, 506, 427 IPC (Section 326 IPC added later on), registered with Police Station Meharban, District Ludhiana.

The criminal machinery in this case was set into motion by complainant Mandeep Singh, who in the statement got recorded with the police stated that on 06.11.2019 at about 8.00 PM, Sukhi son of Roop Lal along with petitioner Gagan, Geeti son of Des Raj, Vicky son of Harmesh Singh, Nonu son of Hans Raj, Bamb, Kala, Babbu and 6/7

other unidentified persons came to his shop at Khawajke; Babbu raised lalkara that a lesson be taught to the complainant, then all the assailants started damaging his shop and when the complainant raised objection to it, then Sukhpreet Singh gave a blow with sword towards head of the complainant but the blow found its target on his left hand; on hearing alarm of complainant, Raghuraj and his son Daljit Singh arrived at the spot, then Gagna gave a sword blow to Daljit Singh leading to amputation of fingers of left hand; Kala gave a stick blow to Daljit Singh on his back, whereas, Vicky gave a stick blow on left shoulder of Daljit Singh; Geeti gave a datar blow towards Raghuraj, injuring his leg; Nonu gave a blow with handle of water hand pump on leg of Raghuraj; Bamb gave blow with stick on head of Raghuraj; when several people started gathering at the spot, then all the assailants ran away there from along with their respective weapons; the injured were taken to the hospital; formal FIR in the matter was registered; the investigation in the case started.

Apprehending his arrest in this case, petitioner/accused had approached the Courts of Sessions at Ludhiana by moving an application for grant of pre-arrest bail. His such application was assigned to Addl. Sessions Judge, Ludhiana, who vide order dated 13.01.2021, dismissed the same. Feeling dissatisfied, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going

through the record.

The allegations against the petitioner are very grave and serious of amputating the fingers of Daljit Singh, which injury has been declared to be grievous in nature. His custodial interrogation is necessary to effect the recovery of weapon and to find out as to how the incident was planned and executed, the role played by each one of them, the source from where the arms were procured and the place where those were kept after the incident. In case, custodial interrogation is denied to the investigating agency that shall leave many gaps, loopholes and lacuna, adversely affecting the investigation, which is uncalled for. Thus, finding no merit in the present petition, the same stands dismissed .

08.03.2021

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(H.S. MADAAN)
JUDGE

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