

CRM-M-8289-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRM-M-8289-2021 (O&M).
Decided on: July 12, 2021.**

Babbu @ Babanpreet Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Manpreet Singh Dua, Advocate, for
Mr.Harkanwar Jeet Singh, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present **second** petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.115 dated 25.07.2020, under Sections 307, 326, 323, 506 and 34 IPC registered at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 28.7.2021 and investigation of the case is complete and therefore, considering the custody of the petitioner, he be

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considered for the grant of regular bail. He has further submitted that earlier also, the petitioner had filed a petition for bail before this Court vide CRM-M-43810 of 2020, which was dismissed as withdrawn on 6.1.2021.

On the other hand, learned State counsel has submitted that the allegations against the petitioner are very serious and grave. He has submitted that as per the allegations, the petitioner had attacked the complainant along with another person and the petitioner had chopped off the hand of the complainant-injured and severed the same. He has submitted that although the challan has been presented but the charges have not yet been framed and material witnesses are yet to be examined. He has submitted that there is every likelihood that in case he is released on bail, the petitioner may influence the witnesses or tamper with the evidence or may even flee from justice. He has submitted that gravity of the offence is also a relevant factor for the denial of the bail to the petitioner. He has further submitted that basic intention of the petitioner was to kill the injured as he had hit him with gandasa but the hand of the injured was chopped off.

I have heard the learned counsel for the parties.

The custody period of the petitioner is about one year. The charges have not yet been framed in the present case. No material witness has been examined as yet. The nature of allegations against the petitioner as well as the apprehension of the State that the petitioner may influence the witnesses or tamper with the evidence or may even flee from justice would certainly be a ground for denial of bail to the petitioner.

Without commenting upon the merits of case and

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considering the totality of the circumstances of the case, I do not deem it fit and appropriate to admit the petitioner on bail. Consequently, the present petition is dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

July 12, 2021.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No