

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Heard through VC)

CRM-M-11388 of 2021 (O&M)
Date of Decision: 12.3.2021

Akashdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Umesh Sharma, Advocate
for the petitioner.

Mr. M.S. Nagra, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No. 65 dated 18.5.2018 registered under Sections 323, 324, 506, 148, 149 IPC (Section 326 IPC added subsequently) at Police Station Chabbewal, District Hoshiarpur.

The facts in brief are that on 14.5.2018, the petitioner along with 8/9 persons attacked the complainant with *kirpans* and *wooden* spade handles. He suffered injuries on his head and little finger and wrist of his left hand. After giving blows with their respective weapons, the petitioner and other co-accused fled from the scene of occurrence.

Learned counsel for the petitioner would contend that the petitioner was not apprehended at the spot. It is submitted that initially all the offences registered in the FIR were bailable, but now Section 326 IPC

has been added. It is also submitted that no recovery is to be effected from the petitioner and therefore, he deserves the concession of anticipatory bail.

Mr. M.S. Nagra, DAG, Punjab, who is present through the medium of video conferencing, submits that the weapons of offence are yet to be recovered and, therefore, custodial interrogation of the petitioner is necessary. It is also submitted that the petitioner has specifically been named by the complainant.

I have heard learned counsel for the parties and have perused the paper book.

The court below, while dismissing the anticipatory bail petition of the petitioner, has observed that MLR of the complainant would show that he suffered five injuries, out of which three injuries were on the head and two injuries were on the left forearm and left ring finger. Therefore, keeping in view the nature of injuries suffered by the complainant and the fact that weapons of offence are yet to be recovered, this petition is dismissed.

12.3.2021

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No